

A
LETTER FROM LEGION

TO

Chas. Gordon. Lemmings

HIS GRACE THE DUKE OF RICHMOND,

1791-1868

&c. &c. &c.

**CHAIRMAN OF THE SLAVERY COMMITTEE
OF THE HOUSE OF LORDS:**

CONTAINING

AN EXPOSURE

OF THE

CHARACTER OF THE EVIDENCE ON THE COLONIAL SIDE

PRODUCED BEFORE THE COMMITTEE.

NEC PES, NEC CAPUT UNI

REDDATUR FORMÆ.

HOR.

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ADVERTISEMENT.

SEVERAL extracts from the Lords' Evidence have already appeared in the public papers. The evidence on the colonial side is of such a character that it admits of quotation *as may best suit the views of the party quoting it*. It is impossible for any person to form a correct opinion of the degree in which this enquiry has affected the merits of the colonial controversy, without diligently comparing the whole evidence on either side, and especially ascertaining how far each pro-slavery witness is consistent with himself. With a view to facilitate this examination of it, before the public mind is deceived by extracts made for the express purpose of deceiving it, the following pages have been hurried through the press with unusual rapidity. It is proposed shortly to follow them with a second letter upon the anti-slavery evidence, but the urgency of the case has not admitted of any delay, and it has therefore been considered expedient to publish the first letter separately, though it will necessarily leave the work, for a time, imperfect.

London, December 31, 1832.

A LETTER

TO

THE DUKE OF RICHMOND,

&c. &c. &c.

MY LORD DUKE,

THE prominent station which your Grace has occupied in the chair of the Lords' Committee on the Slavery question seems a sufficient apology for addressing to you any observations upon the evidence produced before them; but I have additional motives for the liberty I take on this occasion.

It is well understood that there are some peculiarities in your Grace's composition which invest you with a more useful influence than that which rank alone, however exalted, can confer, and therefore make it desirable to obtain your countenance.

It is well known, for instance, that in a limited circle, of which your Grace is the head and ornament, you enjoy a reputation for the possession of considerable acuteness and dexterity. It is also generally acknowledged that your proceedings are regulated by a sense of military propriety, which, if now and then somewhat punctilious and amusing, yet always elevates your Grace to a high feeling of chivalrous honour.

Lastly, you publicly avow your abhorrence of saints, and your general predilection for sinners, with a sincerity of speech and manner which leads one to suspect that you are a Tory in heart, although you are a Whig in principle.

There is not one of these peculiarities that would not of itself make it convenient to address my remarks to your Grace. Your acuteness will enable you to appreciate their point; your military honour will compel you to a candid consideration of their weight; and, when I add that the writer, who has assumed to himself the honour of addressing them to you, holds, as he is informed, a very doubtful place between the saints and the sinners, your Grace's natural anxiety to make proselytes to your own party, may possibly secure for him an opportunity of circulating his letter more widely, than he could hope to do under less august patronage.

Your Grace, too, is a member of a cabinet consisting of men who have always loudly professed those liberal principles which are necessarily allied to Anti-Slavery measures. That cabinet little more than a year ago promulgated an Order in Council, which it talked loudly of enforcing, for ameliorating some of the severities of the slavish condition. They have suspended their determination, avowedly because enquiry is going forward before a Committee of the House of Lords.

The Slavery Committee has reported however, that they are unable officially to state the result of their enquiry, because the evidence they have received is very contradictory. As it is not to be supposed that, in the face of this report, the cabinet to which your Grace belongs, would act so unjustly, as to suspend an Order in Council intended for the benefit of one of the parties to the enquiry, and whose case of course could not be injured by subsequent and contradictory evidence, it must be presumed that your colleagues have acted, not upon the report of the Committee, but upon the opinion which your Grace, as chairman of it, has ultra-officially given them, that the colonial testimony preponderates. I can in no other manner account for such an extraordinary proceeding on the part of His Majesty's Government; and, as your Grace is the only member of it that has systematically attended the Committee, I am led to ascribe to you the information upon which they are acting.

But after all, it is only doing your Grace justice to admit that, making due allowance for some prejudices natural to your rank, and to that exclusive and narrow view of society which is common to nobility, you have exhibited a disposition in this enquiry to hear with attention, and to judge with impartiality. I ascribe your Grace's failure to appreciate the evidence as it deserves, less to your own disposition, than to an ignorance of the manner in which testimony should be weighed; an ignorance which in one sense does you credit; because it arises from that ignorance of the meanness and petty littleness of man, which are so unbecoming the character of a gentleman, that they but rarely fall within the personal observation of a British officer.

I take this opportunity of saying that some of those witnesses who may hereafter cut but a sorry figure in this letter, are no doubt entitled to the same apology. They, like your Grace, have been deceived; and being themselves deceived, vainly imagine that, in the propagation of their erroneous views, they are doing homage to the cause of truth and justice, while they are in fact upholding iniquity and oppression.

Before I go into detail, let me submit to your Grace, calmly and dispassionately, a few preliminary remarks, which may tend to open your eyes to a new and more enlarged view of the whole matter.

it occur to your Grace, in the course of this enquiry, to consider the solemn importance of the occasion? It is not so, said I am about to enter into some of those saintly speculations which your Grace others, but into matters of not a political statistics; such as your Grace both as a legislator and a minister, is I trust to study.

The Slavery question involves, *ex confesso*, the deepest interests, religious, moral, and physical, of a million subjects of the Crown—that is, of not less than a twentieth part of the population of England. We are all agreed on this point. It also involves not only similar interests but even the personal safety of many more of His Majesty's subjects, constituting the white and free coloured classes of the colonies.

In a more remote degree of interest—but in no inconsiderable degree—it includes in its consideration, the feelings, the prosperity, and probably the means of subsistence, of many thousands in this country, more or less connected, by alliance, or by commercial engagements, with the colonial body. And, lastly, it is entangled with considerations of the deepest import connected with the taxation, the naval and military establishments, and the East Indian possessions of this country. Nor is it the least remarkable incident to the controversy, that, in respect of every one of these grave considerations, opinions directly opposite have been entertained, and promulgated by men of acknowledged talent, unquestionable character, and, avowedly, of great personal experience. To add to the difficulty, facts have been brought forward by these opponents, resting apparently upon indisputable testimony, and in number sufficient to establish a system either way, and with a confidence willing to risk the controversy upon their truth. Such was the question into which a Committee of your Grace's house was appointed to enquire!

Look at the issue!—look at the tribunal! The hereditary legislature of Great Britain assembled, formally to decide between two contending parties, who have for more than half a century been agitating a question of such deep and absorbing interest! Reflect for a moment on the countless multitudes whose all that question involved; not merely their all of physical enjoyment, but using the word in its most comprehensive sense—their all; the every thing that the present and the future can imply—the rights of nature—the wants of life—the possession of every privilege which distinguishes humanity from brutes!

Reflect again on the hapless state of the infatuated men who have staked their own security, against the restoration of those rights of nature to those whom they call their property.

I acknowledge that I cannot conceive a more difficult, or a more important question. That, on such a question, ought to have been the conduct of the legislature, and especially of the

government of which your Grace forms a part? It will not be disputed that the members of the tribunal by which such a question was to be decided, should be men of intelligence; of information; patient, indefatigable, and, above all, disinterested and impartial; or if a bias were permissible, that bias, according to the spirit of British law, should have been in favour of the weaker party.

I appeal not to the party feelings of your Grace—not to the personal attachments of your Grace—not to the prepossessions of your Grace—but to that high sense of knightly honour by which you seek to be distinguished, whether such was the composition of the Lords' Slavery Committee. I too declare myself a party man, not in a political sense, but in reference to this question. I am an anti-slavery man to the back-bone. But, even in an analysis of anti-slavery and pro-slavery evidence, party-feeling shall not govern me; and, with a consciousness of this, I feel myself entitled to ask your Grace whether in the nomination of the Peers' Committee party feeling or party interests were forgotten?

Look at the members of this Committee: my Lord Seaford, my Lord Harewood, Lord Sligo, Lord Holland, Lord Combermere, and several others, whose names I subjoin.* Were not many of

* I am not quite certain that the following list contains all the committee, for several names were added pending the enquiry. The instructions were to "enquire into the laws and usages of the several West India Colonies, in relation to the slave population, the actual condition and treatment of the slaves, their habits and dispositions, the means which are adopted in the several colonies for their progressive improvement and civilization, and the degree of improvement and civilization which they have at present attained; and also to enquire into the distressed condition of those colonies; and to whom were referred certain petitions and papers in relation to the matters before the committee."

Archbishop of Canterbury.
Bishop of Lichfield and Coventry.
Bishop of London.
Earl Harewood.
Duke of Richmond.
Marquis of Sligo.
Viscount Goderich.
Earl of Radnor.
Lord Ellenborough.
Lord Seaford.
Viscount St. Vincent.
Earl of Selkirk.
Lord Suffield.

Duke of Buckingham.
Lord Holland.
Lord Howard de Walden.
Lord Redesdale.
Lord Colville.
Lord Napier.
Marquis of Westminster.
Viscount Combermere.
Lord Auckland.
Lord Bexley.
Earl Bathurst.
Viscount Beresford.

them personally and deeply interested in the result? Was it not in fact a question, whether these men were or were not the unconscious murderers of their fellow-creatures? Were they not called upon to decide whether they had, by their agents and representatives, sanctioned for their own interests, a system of oppression and death? And, according to all the principles of equity and common sense, were these the men to give a verdict upon this solemn issue? Let your Grace's military honour answer that question to your conscience. Why, before the Committee had half done its work, Lord Seaford was in vulgar phrase, *sold up*, and compelled to fly to Jamaica, to look after the wreck of that property which the whole question involved. Was such a man, with feelings rankling under a sense of recent injury, a fit judge to be named upon this Committee?

But spiritual peers were added to give to it weight with the public; and was your Grace, or your Grace's coadjutors, so uninformed upon the colonial question, as not to know that the conduct of all the spiritual peers on this delicate subject, has been such as to lower them in public estimation? It is known by all who have taken any part in the controversy that the Bishops are, *ex officio*, slave proprietors; and their management of the Codrington estates has sufficiently proved, how readily they chime in with colonial feelings, and how promptly they echo the colonial cuckoo-note of amelioration, as a substitute for freedom! These holy men have an account to reckon with their God upon this topic; and to that awful reckoning I leave them. But there is a vast body of the public who feel with myself that the spiritual peers, dreading as they do, and as a large majority of them have acknowledged in reference to this very question that they do, that all reform trenches upon invasion of ecclesiastical property, were the least unobjectionable of all judges upon the colonial controversy. Yet, Sir, I am a churchman; I have been educated as a churchman, in common with all my relatives; and I love and respect the church to which I belong, but not its slave-possessing fathers!

Yet further to salve over the matter, some peers high in office were added to the list; as if Lord Goderich, whose name was introduced because it was most justly considered influential, and a guarantee for honourable dealing, could by possibility attend daily, or on alternate days, to Committee duties!

Then, as if to complete the hoax to be practised upon that gullibility for which our country is proverbial, Lord Suffield was forced on the Committee, who though equal to the task in heart, in head, and in courage, could no more be expected single-handed to contend with a host of West Indian opponents, than a high-spirited horse could resist a hornet's nest! And for the truth of this illustration, as evidenced by the subsequent pro-

ceedings, I again appeal, not to your Grace's unsightly prejudices, but to your personal honour.

Such was the Committee over whom your Grace was called upon to preside.

At least it might have been expected that, notwithstanding their personal or official interest, holding as these men did a dignified position in the eyes of their countrymen, and a very responsible office *in foro conscientia*, they would have felt it a duty most sedulously to attend, most resolutely to discard all feelings of personal interest, most patiently to listen to the prosing statements of all the witnesses (whether methodists, or missionaries, my Lord Duke, or plantation overseers), until they had ferreted out the truth,—that they would have sifted with painful accuracy the weight of every testimony, till the scales were adjusted to a hair. It might have been supposed that a high sense of noble honour would have dictated to each member of this most august court the propriety of showing to the world that, when seated in the Curule chair, *all self* was forgotten. I ask your Grace whether such has been the conduct of West Indian peers on the Slavery Committee? I ask your Grace how frequent have been the attendances of any but yourself, Lord Suffield and his colonial opponents? I put it not to your Grace, as I have hinted to his Grace of Canterbury, or to my lord of London, “how will you answer it at the bar of God?” but I appeal to you in a manner that at present, at least, *you* will feel more emphatic, “how will you, speaking for your peers, and not for yourself, answer it to justice and honourable principle, that, except yourself and Lord Suffield, West Indian peers alone regularly attended this Committee, and the three spiritual peers but twice, and then for some brief ten minutes?”

I have *my* emissaries, my Lord Duke; and lest you should suppose that I write from unauthorized report, I will frankly tell your Grace that some of my imps were at work to watch the ingress and egress of the members of your Committee for a considerable part of your proceedings. I have given the result; the witnesses confirm it; and I challenge your Grace to disprove my accuracy if you have the means.

And did those who actually attended listen temperately and impartially to evidence? Did they betray no bias? Did they show no impatience at conflicting statements, hostile to their interests? Did they evince from first to last a mild, yet firm and dispassionate, attention to every question proposed, and to every answer given? Above all, did they offer no interruption, no impediment? Did they interpose no protection, when a prevaricating witness began to flag under the pressure of severe examination? I will not answer these questions for myself; but your Grace's honourable feeling, if you choose to substitute that

term for conscience, will tell you how these questions may with truth be answered. The public will draw their own inferences from the evidence itself.

Such, my Lord, are the preliminary remarks which I proposed to make. I could extend them very considerably. Your Grace must not suppose that the conduct of a body so exalted, can escape the keen and observing eye of the British public. The perplexities—the mortifications—the self-complacency, and the pseudo triumphs of some colonial peers, have been whispered about with most amusing caricature; but I wish to take a higher ground. Personal absurdities would amuse, not satisfy the public mind. It is easy to expose the character of the proceedings, without *showing up* the men; and with this I shall content myself. There are some, I am well aware, who will appreciate my forbearance, and not feel ungrateful for it!

Your Grace will agree with me that, in estimating evidence, there are three very important points to be considered: the disinterestedness of the witness; his opportunities of knowledge; and his consistency of statement.

I am not going to perplex your Grace with any professional disquisitions on the subject; without reference to technical rules, these are principles acknowledged by every man of common sense, in informing himself of those daily occurrences of life that do not fall under his personal observation. Indeed, so completely are they wrought into us, by education and habit, that there is scarcely a transaction of domestic life in which they are not more or less brought into play; a difference among our children or our servants is quite sufficient to bring each principle into operation, and to guide the parental or domestic authority to a just decision.

I propose to govern my enquiry into the evidence, whether colonial or anti-colonial, entirely by these principles; and after thus showing the degree of value which ought to be given to it if standing alone, I will leave the public to contrast it with that evidence to which it is opposed, and to draw their own conclusions.

Thus, for instance; if any statement is made upon the subject of field discipline by the whip, we should consider whether the witness may not himself have ordered its infliction; whether he ever had the opportunity otherwise of witnessing its infliction; or whether his statements, as to the degree and frequency of its infliction, correspond with his general allegations of the danger or facility of superseding it, and of the ameliorated treatment of the slave. If I should find a man wholly disinterested, and without any motive to palliate his own conduct or that of his employer, who had been for many years personally superintending field operations, and who bore general testimony to the industrious disposition of the negro,—if I found such a witness

denying the application of the whip in the field, I would believe him. If I found him contradicted by another equally disinterested, experienced, and consistent, I should endeavour to discover how far the general character of each vouched for his accuracy. If I failed in this endeavour, I should exert myself to find a third party, equally competent and respectable, to decide between their conflicting testimony. If I failed in this, I should assume that each witness spoke from his own experience of plantations under different owners, or differently circumstanced; and that therefore, *as respected the system*, the testimony of one counterbalanced that of the other, and in either case was founded upon an experience too limited to be of value.

I think that the public will go with me in thus estimating the evidence taken before your Grace.

I am so well versed in the tricks of colonial controversialists that I can foresee, without difficulty, the course which they will take, now that the publication of this evidence enables them to quote it to the public. They will carefully extract, with a show of candour, the immaterial and indefinite statements of the anti-colonial witnesses, so far as they do not bear upon any important point at issue. They will yet more carefully select any admission, honestly made by anti-colonial witnesses, of kind treatment and humane indulgence upon any particular estates; and they will thus introduce in a plausible manner, or else sustain by seeming corroboration, the strong evidence which is given by their colonial partisans upon the same points, taking especial care to avoid drawing attention to those inconsistencies which Lord Suffield's cross-examination (and sometimes, perchance, your Grace's) has exposed.

My course, therefore, shall be the directly contrary. I shall begin with the colonial evidence, and the rather because, in common with all the public, I regard the colonists as the plaintiffs in the cause tried before your noble tribunal, and therefore as the parties upon whom proof of the affirmative naturally lies.

In considering the colonial evidence, I shall proceed to show the self-interest, or the confessed or implied ignorance, or the inconsistency of every witness; and, in many instances, perhaps I shall succeed in impeaching his credibility upon each of these points. And in sifting the value of the colonial case, I shall occasionally elucidate the animus of the Committee, by calling attention to many questions which betray an anxiety to set a witness right, who may have imprudently committed himself, or to elicit an explanation that may tend to reconcile inconsistent self-contradictions.

Such is the confusion, the wandering from one topic to another, and the frequent interruption of any given course of enquiry, that a formidable difficulty will present itself to a superficial reader of this voluminous evidence. There is no method ob-

served—no system of any kind. Twenty subjects, the most unconnected, are brought together in the same page; and sometimes a very important train of enquiry is abruptly broken off by unmeaning, irrelevant questions, that seem more calculated to bewilder the witness, or to perplex the examiner, than to elicit truth. On the other hand, it often occurs, as I have already hinted, that when a witness begins to flounder, and if left to himself would give conclusive proof of his ignorance and incompetency, a question is goodnaturedly interposed, obviously by some third party, and thus the witness is relieved; and the examination suddenly branches out into new matter of an essentially different kind. These interrupting questions are too critical and too frequent to be explained merely by the inexperience of the tribunal.

After giving such quotations as are essential to expose the interest, ignorance, or inconsistency of each colonial witness, I shall attempt in some degree to classify their testimony, and to contrast it with other evidence under the heads of discipline, instruction, religious liberty, cruelty, redress, general treatment, licentiousness, and decrease of population.

There are miscellaneous matters of enquiry which scarcely admit of being classed under any head; partly because they are incidental, but principally because they have been taken up superficially, hastily, and obviously with little intention of serious investigation. I can only advert to these as they accidentally present themselves.

I have but one more observation to offer to your Grace, before I enter upon my arduous task. A very prominent part of the enquiry, and more especially in the latter stages of it, seems to have been directed to mere matters of opinion. I make no complaint of a want of fair play on this head, so far as regards permission to the witness to express his opinion freely on whichever side it might be: but I submit to your Grace that to examine witnesses upon oath, upon points of abstract opinion, is of itself a gross absurdity. Upon *matters of fact*, such an examination is the most satisfactory that common sense acknowledges; upon matters of *belief*, where *personal knowledge is out of the question*, it is equally conclusive, quantum valeat the belief: but upon matters of opinion, or, in other words, to swear a man to a belief in the accuracy of his own reasoning, is a solecism in morals, as well as in logic, unworthy of the understanding even of a House of Peers. In this particular case it is not less mischievous than absurd, because it invests with a solemn and imposing character, individual opinions that ought to be sifted by facts, and not crammed down our throats by the awful pomposity with which they are given.

For these reasons I reject, in toto, the opinions. It is sufficient to say that, as might have been anticipated, all the colo-

nial witnesses are, without exception, in favour of continued slavery, or, what is the same thing, emancipation indefinitely deferred; and all the anti-colonial witnesses, with one or two slight modifications, and I believe but one exception, are in favour of immediate abolition. For the rest, I consider my own opinion as good as Mr. Burge's, or Mr. Buxton's, if I have the same data to assist me in forming it; and thus too will each of the public say for himself.

It will not be deemed an essential departure from my plan, if in the first instance I quote the evidence of a gentleman, Mr. Taylor, who was for thirteen years resident in Jamaica, and for two years the manager of estates containing seven hundred slaves, to show the essential requisites to a colonial experience. The public so naturally infer that every man coming from the West Indies must "know all about it," that it is indispensable to commence with exposing the fallacy of this maxim.

(Vide page 565.)

"You have been some years resident in Jamaica, have you not?"

"Nearly thirteen years."

"At what period did your residence commence, and at what period did it conclude?"

"I went to Jamaica in 1816, and remained there till 1823; I returned in 1824, and remained till the end of 1825; left it in 1826, returned in 1826, and finally left it in 1831; making altogether, I think, nearly thirteen years in the island."

"In what capacity or capacities did you officiate while resident in Jamaica?"

"The greater part of the time I was engaged in commercial pursuits; more than two years I was actively occupied in the management of estates."

"During that time you had opportunities of observing the Slave population, and the management of several estates with which you were connected?"

"Yes."

"Do you think it possible for any man to acquire an accurate knowledge of the system that prevails in the interior of a plantation, unless he has been some time domiciled on an estate?"

"I think it necessary that he should not only be domiciled, but that he should be actively employed in some branch of the administration of the estate."

"You do not think it possible for any man to acquire an accurate knowledge of the system that prevails in the interior of the plantation unless he is so employed?"

"I should not say it was utterly impossible; for a man may be so constituted, that, though living upon an estate, and not actively employed in the management of it, he may resolutely set himself to work to obtain that information; but, looking at the aspect of society in Jamaica, I do not think any man ever has acquired that knowledge; such a man as Mango Park might acquire it, but it is not at all probable that any man would."

"You mean that it is highly improbable?"

"Yes."

"Will you have the goodness to state the circumstances which appear to you to make it improbable that persons should acquire that information?"

"I think it improbable, because when an individual goes upon an estate in Jamaica merely as a visitor unconnected with the estate, unauthorized to make enquiries of the Negroes, he has no opportunity of gaining that knowledge—for instance, punishments he is not a witness to. When a punishment is to take place, they do not lay down the man or woman under his window, but take him or her to a retired part of the estate; and, as in the case of a lady in barracks, punishments may take place to a great extent without her knowing any thing about them. An officer's lady may have been in barracks for a considerable period, and yet know nothing about punishments, though they may have taken place every week. On the other hand, there is no physical impossibility, for a man may run *the risk of incurring the displeasure of his host by speaking to the negroes privately*, and probing them; but I never, intimate as I was with many families in Jamaica, took that liberty: there is no physical impossibility in arriving at that knowledge; but from the state of the country, and the state of manners in Jamaica, I do not think it at all probable that an individual ever acquired an accurate knowledge of the Negro character unless he was placed in a situation that brought him into constant communication with the Negroes and the inspection of them. *In my own case, I was there several years, and knew little or nothing about them until I was called upon to administer the system, though living in the heart of the country, and visiting in almost every parish in the island, and having journeyed thousands of miles in the island.*"

"Being, as you are, to a certain degree familiar with the details and daily labours of the field slaves, do you think any person competent, from his own knowledge, to give evidence upon oath on the subject, unless he had filled a situation similar to your own, or unless his duties as a Missionary had brought him into frequent and private communication with the slaves themselves?"

"Speaking of the daily labours, I do not think that any person is qualified to give information upon that subject, unless he had been actively employed, and closely and daily employed, in the management of a plantation. I believe that a missionary has opportunities of acquiring a great deal of information from the slaves which no other class of persons can. I believe that a missionary actively employed near estates does acquire a great deal of very intimate knowledge of the negro character, but of a different nature. I do not think a missionary can speak as to the work of an estate: a missionary's knowledge of the negro is derived from his constant intercourse with him, and I believe the missionary will know much more of the private feelings of the negro slave than even a humane manager will; but at the same time I believe that the manager will know a great deal more about the labours of an estate. I think the information to be given by a manager and a missionary are of a different character for the most part."

"From that it is collected that, to be intimately acquainted with the detail and daily labour of a slave, a person must be in a situation similar to that occupied by you—practically concerned in the management of an estate?"

"Yes."

"Supposing evidence to be given upon the subject by persons of another description, without attributing to them any intentional falsehood, would it not necessarily be of so vague and indefinite a character that you would attach but little credit to it?"

The witness is directed to withdraw.

The witness is again called in, and the question is proposed.

The expression, I observe, is "of another description."

"You say you think it necessary that a person should be practically concerned in the management of an estate, in order to enable him to form a correct judgment in the point referred to as to the daily labour of the slave. You are then asked whether, in respect of persons of another character, not practically concerned in the management of an estate, you would, without attributing to them any intentional falsehood in the evidence they might give, think that it was likely to be of so vague and indefinite a character as to be entitled to little credit?"

"I think it would, as compared with evidence given by one practically acquainted with the system."

"If a stranger were found in conversation with a gang of field slaves during their work, or entering their huts after the hours of labour, for the purpose of ascertaining from their own lips the particulars of their treatment, would he not expose himself almost to the certainty of personal insult and legal proceedings for a trespass by the attorney or overseer?"

"The probability is that he would be insulted, and, if he persevered in making such enquiries, that he would be prosecuted."

And again, at page 584, the witness is asked,

"Do you think that military or naval men, engaged in their professional duties on the station, could have that acquaintance with the subject, so that their testimony in respect to the slaves' treatment or character would be of any real value?"

"I cannot see how naval men can know any thing about it, for they are at sea; when they are on shore they generally dine with the principal people in the neighbourhood: they are a very short time on shore. A military man, from being stationed in country garrisons, necessarily knows more; but at the garrisons in the neighbourhood of Kingston, where the chief body of troops is, they have very little intercourse with the interior, and they cannot see the internal working of the system; they can see the surface; nor can any one know the internal working unless he is employed on the estate, and sees the whole machinery from morning to night."—And at page 529.

"Do you not feel very strongly the difficulty of any stranger's access to the interior of a plantation?"

"Yes; I have stated that I think there is a great difficulty in arriving at the truth."

"Have you not on some occasions called a plantation a sealed book?"

"I have; not only a plantation, but I consider the country a sealed country from the fact that you travel through the length and breadth of England, and are continually in contact with the population of the villages on the highways, and I defy any man to keep me from a knowledge of the peasantry, for it is the right of a British citizen to enter into the house of another if he opens the door; but you may travel for hundreds of miles in Jamaica, and never pass through villages. The villages are separated by the width of a field from the road, and you dare not trespass upon that field any more than in any men's houses. They are very accommodating in Jamaica in allowing a man to go through the fields and make by-paths; but, if that were done with the avowed and open intention of having that intercourse with the peasantry of Jamaica which any man has in this country, he would be necessarily unsuccessful, and would be prevented in some districts. We never pass through a negro village; we see them at the distance of a mile or a quarter of a mile; but on the great roads of communication there is no population. I lived in a parish some years and was grossly ignorant of the condition of the negroes at my very door, because I dare not enter the village. I take the Duke of Buckingham's village, within a quarter of a mile of my own house; I know nothing about them, though there was nothing but a highway and a fence between them and me."

"A person travelling through the country would have little opportunity of judging of the state and condition of the slaves?"

"He would see them in the field working under the driver, and he might see them cross the fields or the road going to their negro villages, but he is never within the precincts of a negro village. I have visited hundreds of families in the country, but I no more thought of leaving my host and going into the negro village than I would in this country leave my host and go into the kitchen."

Hence it appears upon authority that cannot be questioned, and the more entitled to weight because the witness has not so far lost his colonial prejudices as to advocate immediate emancipation, that the interior of a plantation is a "sealed book;" that the colony is "sealed up" from East to West; that a negro village is as unapproachable to a stranger as a gentleman's kitchen to his parlour guest; that naval or military men can witness nothing but "the surface of the system;" and, finally, that no person "is qualified to give information but those who are actively, closely, and daily employed in the management of a plantation," *excepting only the Missionaries*, "whose opportunities of acquiring information are greater than other persons possess."

I especially entreat your Grace, with your avowed predilection for military testimony, and your not less strongly-avowed distrust of missionary statements, to bear these important facts in mind. They ought to be felt by you to be invaluable, as a guide

to an impartial estimate of all the evidence produced. Your Grace will also bear in recollection that the Rev. Mr. Curtin, a witness of whom the West Indians seem immeasurably proud, admitted on his examination (vide p. 349) that, though he had free access to the plantations, "he always sent word to the manager when he was going there; for he would not do any thing clandestinely!" And the same reverend gentleman in another place (vide p. 355) swears "that he never visited a slave property unknown to the person in authority, nor against the will of the planter on any account!"

The following are the witnesses called by the West Indian party, and whom therefore I shall consider myself entitled to designate hereafter as the colonial witnesses. I give their names in the order of their examination:—

THE DUKE OF MANCHESTER
HENRY JOHN HINCHLIFFE
JOHN BAILLIE
LORD SEAFORD
SIR JOHN KEANE, K.C.B.
WILLIAM SKAND
SIR MICHAEL CLARE,
M.D.

SIR LAWRENCE HALSTED,
K.C.B.
LIEUT.-COL. MACDONALD
REV. JAMES CURTIN
EDMUND SHARP
ANDREW GRAHAM DIGNUM
JAMES SIMPSON
WILLIAM BURGE, M.P.

My present duty being with the colonial witnesses, I shall not here enumerate or even advert to those on the other side. I reserve them till the proper time arrives for contrasting their evidence with that of their opponents; and perhaps, when that time arrives, your Grace will admit, if you honour this letter with an attentive perusal, that, however important their testimony may be, it can gain but little by contrast with evidence so weak as that which precedes it.

I have already offered many suggestions of the expectations that would naturally be formed as to the proceedings before this solemn tribunal; but I have not observed how natural it was to anticipate that the party at whose instance the Committee was appointed, and who most judiciously selected their own time for pressing its appointment, would be prepared with a formidable array of noble and military witnesses, to overpower by sounding titles, and the pomp of personal importance, those suspicions which the country had long expressed of colonial honesty!

It was for the same reason to be expected that no pains nor expense would be spared to arrange and fortify the evidence such men would give; and in fact, your Grace well knows how great was the anxiety betrayed herein throughout the whole enquiry. There was Mr. Markland, the attorney of the West Indian Committee, or else his confidential clerk, daily occupied

in a neighbouring room, in close consultation, not only with the witnesses themselves, but with Mr. Barge, the agent for Jamaica, and the parliamentary leader of the party; and not unfrequently, some of the West Indian peers, themselves members of the Committee, privately conversed with the witnesses on their evidence!

This cannot be denied, *for it appears on the face of the evidence*; and I may say, in passing, that it would have been more creditable to these noble lords had they carefully kept apart from such communication. If they had kept aloof from the enquiry altogether they would have stood higher in public estimation, at a crisis when public estimation ought not in common policy to be disregarded by the House of Peers. If, however, the temptation of self-interest was too great, self-respect should at least have dictated the decorum of piously adhering to the stern character of judges, and have forbidden even the risk of a suspicion that they prompted their witnesses behind the scenes. No parliamentary usage, no force of custom, can excuse to a generous mind the indelicacy of this interference. I felt for my Lord Seaford when he found it necessary to explain the innocence of his private gossip with a witness under examination!

To return from this digression; after all the time for preparation, after all the expense incurred, and after all the labour bestowed in the selection, great indeed should have been the corresponding result! Now let us examine the mighty fruits.

THE DUKE OF MANCHESTER

was of course selected to lead the van. A residence of twenty years as a colonial governor, and a ducal rank, were no bad introduction of the case; but ducal rank, or a life in Jamaica, commands but little respect from me. I shall try his Grace in my scales of self-interest, inexperience, and inconsistency: he will not be found wanting.

I suspect that considerations of delicacy prevented an enquiry into his Grace's debts. I do not find any explicit question on this point, although in general terms he disclaims all interest in West Indian property. I will therefore assume that in the ordinary meaning of the words his Grace was not disqualified by personal interest: but it is notorious that during his long residence, his official salary, amounting I believe to £20,000 annually, was paid out of the colonial purse. Nor is it possible that during so long a period his Grace should have preserved himself quite independent of many intimate ties with colonial society. I will not allude more particularly to reports upon this delicate subject; they cannot fail to have reached your Grace, and every ear accustomed to respect the pure blood of the house of Montagu. I can well afford to spare his Grace a little on my first

point, for there is ample room to challenge his competency in all others: indeed he admits his own ignorance with such a winning frankness that it pains my heart to expose it. What many advised to trust him alone in the witness-box, and subject both him and myself to the pain of this exposure, is unaccountable. In the outset, it is true, he assumes the credit of no small experience: he there declares "that he was in every part of the island, and remained in different places a sufficient time to become acquainted with the negroes" (vide p. 3); and, upon the strength of this alleged experience, his Grace speaks largely on general treatment, food, and clothing: but, when pinned down to specific facts, his Grace's infirmity of memory becomes painfully conspicuous. Witness the following extracts:—

"Your Grace was Governor of Jamaica in the year 1826?"

"I was."

"Did not the House of Assembly in that year refuse to appoint a protector of slaves?"

"*I really cannot recollect whether it was so or not, or whether such a question was ever sent to the island. I will not be certain.*"

"Does your Grace recollect whether they refused at that time to receive slave evidence without a certificate of baptism?"

"The reception of slave evidence was with certificate of baptism, *but I do not recollect* its being proposed to them to receive slave evidence without that; they were obliged to have a certificate of baptism for slave evidence. I know that was the way in which slave evidence was first admitted, *but I do not recollect* that there was a proposition to receive it without."

"Was it not also refused to give the slaves a power of purchasing their freedom?"

"*I do not recollect* sufficiently to answer if such a proposition was made; I presume it must be in the proceedings of the House."

"Did not the House of Assembly also refuse to legalize the marriage of slaves, except by a clergyman of the church of England, and except in the case of baptized slaves who could produce a written permission of their owners?"

"*I cannot answer that question exactly; there were items introduced in a bill at that time, perhaps; I do not recollect* the particular clauses, so as to be able to say; *I forget at this moment* whether there was a bill that year introduced and refused."

"Your Grace will not probably recollect whether there was any power given to the slave to appeal to the vestry in case of a refusal of marriage?"

"*No, I do not recollect that; but I never heard of any refusal of it whenever they chose; I have heard the contrary.*" (Vide page 7.)

"Does your Grace recollect any debate in the House of Assembly relative to the substitution of the cat for the cart-whip?"

"*No, I do not; there may have been.*"

"Your Grace never happened to hear that the proposition was rejected by a majority of twenty-eight to twelve?"

"No, I do not recollect it."

"Does your Grace recollect that there was a similar majority and division in the House of Assembly, upon a proposed clause for preventing indecency in the flogging of females?"

"I do not."

"Did not the council of Jamaica address your Grace at the close of the session when this bill was introduced, namely 1826, disclaiming having been parties to the rejection of those clauses, and reproaching the assembly for rejecting them?"

"I do not recollect that."

"Your Grace does not recollect whether you expressed any approbation of the disposition the House of Assembly had shown to ameliorate the condition of the slaves?"

"I do not at all recollect the circumstances alluded to."

"Is your Grace aware that, at the period alluded to, there existed a law which made it a capital crime in the slave to imagine the death of a white man?"

"I really do not know whether that was mentioned in the law or not."

"Does your Grace recollect whether the Council of Protection was empowered to punish by flogging a slave who preferred an unfounded complaint?"

"I do not know whether that was in the Council of Protection; I believe that used to be the case with the magistrates in the trial of slaves formerly."

"Did you conceive the slave was liable to that?"

"He was liable to that if the magistrate sentenced him to it; but, whether there was such a clause in the Council of Protection I really do not know."—(Vide page 8.)

"Did the House of Assembly in 1826 refuse to appoint a protector of Slaves?"

"I am not certain of the circumstance."

"Did not your Grace sign, and thereby express your approbation of the bill of 1826?"

"The bill itself will show that; it must be in print."

"Was not it your official duty to sign a bill that had passed the House of Assembly, and to make yourself thoroughly acquainted with its objects and tendencies before you signed it?"

"The bill must pass the House of Assembly, and must pass the Council, before it comes to me in any way whatever; then, of course, I, to the best of my judgment, should pass it."

"Of course it would be necessary for your Grace to make yourself acquainted with the contents and objects, and the tendency of its enactments before you signed it?"

"Of course, if it is any one that I can have any interest in or influence in."

"Had not your Grace considerable correspondence with Mr. Huskisson upon the subject of this bill?"

"I do not recollect the circumstance; all the papers must be in the colonial office."

"Will your Grace have the goodness to look at the fourth clause of that Act (*the Slave Act of 1831*), by which you will see how the law of marriage is regulated?"

(His Grace reads the same.)

"Can you explain how the law of marriage stood prior to that Act?"

"No, I cannot."

"Will your Grace refer to the fifth clause, relative to the separation of families by sale?"

(His Grace reads the clause.)

"Will your Grace have the goodness to explain to the Committee how the law upon that subject, stood prior to that Act?"

"I am not certain whether there was any law regarding the separation of families before that."

"Does your Grace know whether, in practice, care was taken not to separate families in sales?"

"I do not know that there was."

"Your Grace has had two clauses submitted to your consideration; do you consider those clauses tending to improve the condition of the slaves?"

"I do consider so certainly, so far as they look to marriage, which, perhaps, they may think more of now than they did formerly; but when I first knew the island *they thought nothing of it.*"

"In the latter part of the fifth clause it prohibits the separation of families by sale, only when levied together; is there or was there any and what law, to prevent their separation by separate levies or by voluntary sales?"

"I do not recollect; what there may be now I can say nothing at all about."

"Was there at that time?"

"I do not recollect. The slave law is sufficient to answer that question. The slave laws of the day are all in print, and will state that."

"Does your Grace recollect whether any other day was given, to the slaves on the prohibition of Sunday markets after eleven o'clock?"

"No, I do not recollect any other day being given, while I was there, than the Saturday and Sunday; the markets were prohibited only after a certain hour in the day."

"The Saturday was given while your Grace was there, as well as the Sunday?"

"Yes."

"Was that given in consequence of the prohibition of the Sunday market after eleven o'clock?"

"I do not exactly recollect whether it was at the time."

"Can your Grace, by reference to the Act, state how the law stood upon that point previously to this passing?"

"I cannot, unless I had the Negro code of that day to refer to. I have had nothing to do with these things for so long, and never expecting to have any thing more to say upon the subject, I do not bear these things in mind."—(Vide page 383.)

"Is your Grace aware what is the penalty for exceeding a legal punishment?"

"I do not recollect what it is. There is one, I know."

"Has your Grace ever heard an instance of such a penalty being enforced?"

"I do not recollect. I have heard instances of cruelty to Negroes, and punishment for it; what it amounted to I do not recollect."—
(Vide page 389.)

I appeal to your Grace whether evidence more extraordinary than this, was ever given by a high civil functionary upon an important public question. *Non mi ricordo! non mi ricordo!* Here is a ducal governor, who filled for twenty years that important office in a colony containing nearly half a million of British subjects, and whose especial duty it was not only to give assent to every colonial statute, but to superintend its execution; who declares, on oath, that he *cannot recollect* nearly twenty of the most important subjects of legislation that could have come under his review! Who confesses that the protection of the slave—the reception of his evidence—the power of purchasing his freedom—the legalization of his marriage—the corporal punishment to which he should be subjected, and other not inferior matters—all may or may not have formed the subject of legislation; for he *cannot recollect* even their discussion! "He does not bear these things in mind"!!! What a man was this to be the governor in the largest slave colony in the possession of the Crown! My groom would have been not less efficient. And does not this speak volumes to any reflecting mind? Can more be wanting to prove the helpless, miserable state to which the slave population is reduced, than such a government necessarily implies?

But it may be said (for I know that it has been said already) that accuracy of recollection, as to statutory provisions, was not to be expected. This I deny; it is the paramount duty of a colonial Governor of twenty years, aye, or of five years standing, to be as familiar with the slave law as with his catechism: if not, he grossly neglects his most important duty.

But let us see whether His Grace of Manchester can boast a more retentive memory in other matters, where he took personally an important part. In the year 1823, eight negroes were executed upon a charge of rebellion. It will be in your recollection that this affair was taken up shortly afterwards by Dr. Lushington, in the House of Commons, and a very warm debate ensued upon it; the ground of Parliamentary complaint being that these men were convicted upon hearsay evidence, and that the witnesses had been induced to come forward by promises of freedom and money. Mr. Wilmot Horton contradicted the whole case, and more especially the latter part of it, on the authority

of the Duke of Manchester. Such a contradiction of course satisfied the House. Now I entreat your Grace to observe how the Duke acquits himself in a cross-examination upon these circumstances.

I will not interrupt my quotations by any remarks.

"Does your Grace recollect the trial and execution of eight negro slaves, on the 19th of December, 1823, in the parish of St. Mary?"

"I remember perfectly the trial and the execution of the slaves; *I do not recollect the date.*"

"Will your Grace have the goodness to state the circumstances with regard to their trial and execution?"

"They were tried by a regular slave court; there was no martial law at the time they were tried and condemned. I do not know any thing particular attending their trial."

"Were not those slaves executed within four days after their conviction?"

"*I should think they were; but, in the case of a slave taken in rebellion, the law of the island allows the magistrates to put the sentence into execution without referring to the Governor. In this case they did not do so, but they came over to me on the subject; because the negroes had got an idea, and those men held that idea, that they would not be executed for rebellion. It was supposed at the time that those three or four or five estates which were supposed to be implicated were only waiting for those slaves to be pardoned to rise; and that was the reason the magistrates sent over to me the trial and the sentence on those slaves, instead of immediately carrying it into execution; that I recollect perfectly well.*"

"They were tried within two days of their accusation, were they not?"

"That I cannot say."

"For what offence were they taken up?"

"For rebellion; they were taken, I believe in arms, in rebellion."

"Is your Grace certain that they were taken in arms?"

"*I will not be certain about arms; but they were taken in the act of rebellion certainly.*"

"Being tried within two days of the accusation, and executed within four days, had your Grace leisure to sift the evidence that was adduced against them?"

"Of course, I looked at all they brought me—the evidence and the sentence."

"Did your Grace take any especial pains to sift the evidence?"

"I could sift nothing except the evidence they brought me on paper."

"You did not take any steps to sift it, or send for any witness for cross-examination?"

"*No, I did not.*"

"Was the evidence that was taken upon that trial submitted to your Grace?"

"Yes."

"The sentence was also submitted to your Grace?"

"Yes."

"Your Grace perused the evidence?"

"Yes, certainly I did. By the law of the island they need not have brought me the evidence on the trial; they might have executed them on the spot, being taken in actual rebellion."

"Was it not hearsay evidence only?"

"*I really do not recollect now how it was.*"

"The evidence was such that your Grace thought it right to carry the law into execution?"

"Certainly; and it was only brought to me in consequence of an idea that had got abroad."

"Your Grace does not recollect whether the principal part of that evidence was or was not hearsay?"

"*No, I do not at all.*"

"Does your Grace happen to know whether any witness for the prosecution was cross-examined?"

"*No; I do not know that; by whom could it have been?*"

"Were the accused defended by counsel?"

"*No, certainly not.*"

"*They might have been cross-examined by the court?*"

"Certainly."

"They were charged with rebellion, conspiracy, and other crimes; were not those the terms?"

"I do not know whether those were the terms, but that can easily be known."

"Does your Grace remember whether or not there was a promise of freedom held out to the witnesses for the prosecution?"

"I never heard that there was."—(Vide pp. 10, 11.)

"Does your Grace recollect the correspondence with the colonial office at the time? *and did not your Grace in reply to the colonial office, state that the report officially made to you in Jamaica of those trials had been scandalously ill made?*"

"The report was made to me in consequence of it having been supposed by the slaves that they would not be executed, that I was ordered to pardon negroes for rebellion, and that they would not be executed, or could not be executed, and that the magistrates dare not execute them: that was the reason of those trials coming to me instead of the magistrates carrying the sentence into execution themselves."

"There was a report made of the trial?"

"Yes; they brought the whole trial to me in consequence of that circumstance."

"Does your Grace recollect upon what report it was you sanctioned the execution of those individuals?"

"I sanctioned the execution of the eight; the others referred to, down to Leeward, did not come to me; they were executed by the magistrates, I believe. With reference to the trial of the eight, I think the report was sent or brought up to me by Mr. Cox, the head magistrate of St. Mary's, the custos of St. Mary's; it was either brought

or sent by him or by some of the magistrates who were sitting on the trial."

"Your Grace does not recollect whether you authorized Mr. Wilnot Horton to deny that manumission and money were promised as rewards for the evidence?"

"I never heard of the one nor the other."

"Did your Grace transmit to this country a report from the select committee of the House of Assembly in December, 1824?"

"Of course I reported it, because the Governor sends the whole thing home every year at the close of the session; I beg to ask to what subject that committee is supposed to have referred."

"The select committee appointed to consider of the propriety of giving manumission to the slaves who had given evidence upon the trial of the persons referred to?"

"That may very likely have been after the trial had taken place, as a reward for those men having come forward and disclosed the rebellion."

"Does your Grace recollect that the report of this select committee did or did not contain a recommendation to reimburse the parish of St. Mary's, to the amount of £336, as a compensation to the parish for the manumission of those slaves who received their manumission as a reward for the evidence they gave?"

"I do not recollect the circumstance, but I suppose it was to pay the proprietors for the manumission of those slaves who had given evidence."—(Vide page 12.)

"Your Grace was asked, 'Whether you happen to recollect whether any witness for the prosecution was cross-examined?' You said, 'No, I do not know that; by whom could it have been?' You were asked, 'Were the accused defended by counsel?'—'No, certainly not.' 'They might have been cross-examined by the court?'—'Certainly.' Were they cross-examined by the court?"

"I dare say they were."

"Your Grace does not know whether they were or not?"

"No."

"Have you any reason to suppose they were?"

"I cannot answer that question, except by explaining as I have done before. *The negro trial, it is more in the way of a court-martial than a regular trial.* I remember once a negro being examined before the council, and he might as well have been talking Hebrew all the time for any thing I could get out of it; it is a thing that must depend upon habit entirely."

"Your Grace was asked, 'Does your Grace recollect the correspondence with the colonial office at that time; and did not your Grace, in reply to the colonial office, state that the report officially made to you in Jamaica of those trials had been scandalously ill-made?' to which your Grace replied, 'The report was made to me in consequence of it having been supposed by the slaves that they would not be executed—that I was ordered to pardon negroes for rebellion, and that they would not be executed, or could not be executed, and that the magistrates dare not execute them. That was the reason of

those trials coming to me, instead of the magistrates carrying the sentence into execution themselves.' Your Grace will perceive that is not an answer to the question, which related to your recollection of correspondence with the colonial office at that time?"

"I do not recollect that; but it can be obtained from the colonial office."

"Was the report of the trial sent home to the colonial office?"

"I am pretty sure it was; but I should have doubts how far I was authorized, supposing I could recollect it, to state all this correspondence, without the leave of the colonial office."

"A question was asked, 'Does your Grace recollect upon what report it was you sanctioned the execution of those individuals?' to which your Grace replied, 'I sanctioned the execution of the eight. The others referred to, down to Leeward, did not come to me; they were executed by the magistrates, I believe. With reference to the trial of the eight, I think the report was sent or brought up to me by Mr. Cox, the head magistrate of St. Mary's,—the custos of St. Mary's. It was either brought or sent by him, or by some of the magistrates who were sitting on the trial.' Who drew up the report?"

"It was one of those magistrates, but I do not recollect their names; either Mr. Cox or Mr. Hodgson, who were the chief magistrates in that part of the island."

"Your Grace was asked, 'You do not recollect whether you authorized Mr. Wilmot Horton to deny that manumission and money were promised as rewards for the evidence?' to which your Grace replied, 'I never heard of the one nor the other.' Do you mean that you did or did not authorize Mr. Wilmot Horton to deny that manumission and money were promised as rewards for the evidence?"

"I do not recollect that circumstance."

"Your Grace said, 'That may very likely have been after the trial had taken place, as a reward for those men having come forward and disclosed the rebellion;' did your Grace actually enquire whether such rewards had been offered before you ordered the execution?"

"No, I certainly did not enquire that."—(Vide page 387.)

Nobody can read this without noticing how low is the colonial estimate of negro life, but I purposely abstain at present from comments on the evidence itself. I am now trying the Duke's competency by his own admissions of ignorance or defective memory. Let the public judge whether his testimony is worth a rush; or if his opinions, be they what they may, merit a second thought. I have not yet done with his Grace's competency. I will now put it to the test of consistency. In 1826, an attack was made by some white ruffians upon the dwelling-house of Mr. Ratcliff, the missionary. This too formed the subject of a Parliamentary debate, it having immediately followed a sermon, which had been preached the same morning in the parish church by the Rev. Mr. Bridges, the Bishop's chaplain, containing inflammatory remarks upon the missionaries of the island.

After some previous questions to recall the subject to His Grace's recollection, he is asked,

"Were not fire-arms discharged into the house?"

"I understood," he replies, "that there were two or three pistol shots—there was no injury done. I heard afterwards that it was a drunken outrage. We never got at the people who did it."

"Was not this aggression the act of the white company of the militia?"

"Certainly not the act of the white company of the militia." (Vide p. 9.)

Yet within a few lines farther, in answer to the question,

"Were the persons who made that attack ever discovered?" He says,

"No, I do not think they were, they were not discovered while I was there. If I recollect rightly, it was only with a pistol. *It was a troop of white cavalry I believe who had been out that day, and I heard that a horse pistol was found in the night, or the next morning—but the people were not known who did it.*" (Ibid.)

Without denying that there is a clumsy ambiguity in the grammatical construction of the last answer, it is obvious that here is great confusion, arising from an anxiety to acquit the white company of the charge, and yet account for the discovery of their horse pistol: according to the *obvious* meaning of the question and the answer, (what his real meaning may be I will not pretend to say) he first unequivocally denies, and then reluctantly admits, the aggressors to have been the white company of cavalry, or militia (it is the same corps). Again, in the same place the question is put, "Was every attempt made to discover the persons who had so acted?" to which he replies, "*There certainly was.*" But when we arrive at his re-examination, six weeks afterwards, the important question being put to him, "Was there any search made for the pistol?" he replies, "*I do not recollect.*" And, when pressed to state "the nature of the attempts that were made to discover so flagrant a breach of the peace," he once more takes refuge in his defective memory, and replies, "*I do not recollect.*" (Vide p. 385.) Non mi ricordo again!

Yet again; at the commencement of his examination, the question is put to him, "Are the negroes possessed of any other property, and of what nature, and to what extent?" he replies, "They may have money and stock; there is the furniture of their houses; they have pigs:" and, a few lines below, he adds, "They certainly feel secure in the enjoyment of any property they possess." (Vide p. 4.)

Yet at page 385, in answer to another question, *asked some weeks afterwards*, he admits, "That, though they possess property, *they could not possess it by law.*"

What name will your Grace give to such swearing? Had not the examination been resumed, it would have appeared by the first statement, given as it was without qualification, that the slave

enjoyed a legal property. Yet afterwards, by cross-examination, the important fact is elicited, that he means no more than a permissive possession !—It is in vain to quibble and explain. We all know full well, and no one better than your Grace, what is a plain answer to a plain question. Is your Grace of opinion that such answer was given ?

I have taken more trouble with the Duke of Manchester than his evidence is worth, even had it come recommended by the opposite qualities of experience, disinterestedness, and sober caution. In fact, it amounts to nothing. So far as vague opinions and broad assertion go, he has little scruple certainly in stating what is most favourable to the colonial views; but, as we have seen, he affects no knowledge of the slaves' legal position in any one particular; and, though the Committee may choose to blink the question, the British public will not be carried away from the true enquiry, "What is the slave's situation in point of law?" Not, how far may that law chance to be modified or relaxed, by the humanity of this or the other master. I have a right, however, to avail myself of any evidence coming from a hostile witness, even while I dispute his credibility; and there are one or two points conceded by the Duke, to which I would particularly entreat your Grace's attention.

It is not possible for any one at all acquainted with colonial matters, to need a special introduction to the Rev. Mr. Bridges, of Jamaica. He enjoys an enviable celebrity for cruelly flogging his female slave.

At page 388, his Grace is asked whether "he had not an intimate acquaintance to a certain degree, with this man?" "Yes," he replies, "he is a person with whom any one would be glad to be acquainted, as a gentleman and a man of learning."

"Did your Grace ever hear of a case of cruelty committed by Mr. Bridges?"

"I have heard of that case since I came home; *I never heard of any while I was there.*"

"During your Grace's residence, Mr. Bridges was entitled in every way to the good opinion of your Grace by his conduct?"

"I do not know any thing to the contrary."

And, in page 389, the Duke is asked,

"Did you ever hear of a slave being beaten to make him work hard?"

"Of course the drivers have the use of the whip. *I believe, from what I have always heard, from the situation I was in, they would take good care I should never see any thing that was wrong*" !!!

These few answers are invaluable. Consider for a moment their import. For some years past England has rung from one end to the other with the tale of Mr. Bridges and his slave. It

has been the subject of official correspondence at the colonial office; it has been formally mentioned in the House of Commons; but yet, the book of slavery is, to use the words of Mr. Taylor, so hermetically "sealed," that the noble Duke who governed Jamaica for twenty years knew not the character of this domestic tyrant, and regards him as "a gentleman of whose acquaintance he is proud"—as "a clergyman worthy his respect!" Does the witness here speak the truth? I believe he does; for the other answer which I have quoted, helps to solve the mystery. "*They would take care he should never see any thing that was wrong.*" Does not your Grace then feel indignant, at the unworthy artifice of those who would thrust him upon your notice as an important witness, with all the imposing influence of his rank, and official character?

But does he perchance speak falsely, when he disclaims all knowledge of Mr. Bridges' delinquencies? Then, let me ask, on the other hand, what must be the nature of that slavery, and that colonial atmosphere in which it exists, when a governor of the highest noble rank, plumes himself upon his intimacy with a clerical ruffian, that assaults with his own hand his female domestic, and afterwards has her cruelly scourged for a trifling accident?

Another point, which I must not omit to urge, is the distinct admission here made of the system of slave-driving with the whip; and in the following page, 390, referring to the whip itself, his Grace observes, "*You may see hundreds without knowing what they are.*" Bear this in your recollection hereafter, and compare it with the statements made by others on the same side.

Another of those miscellaneous matters which incidentally escape the Duke, is well deserving notice. In reference to the trial of the eight slaves whom the Duke ordered for execution, he seems to have been cross-examined with a view of ascertaining how far he had done them justice. This examination is already given above, at page 20. I find at page 387, that this topic is resumed; and a member of the Committee enquires whether, in point of fact, the witnesses for the prosecution were cross-examined by the court. The answer is, "I dare say they were."

"Your Grace does not know whether they were or not?"

"No."

"Have you any reason to suppose they were?"

"I cannot answer that question except by explaining as I have done before. The negro trial is more in the way of a court-martial than a regular trial."

Is not this whole incident pregnant with information as to the actual situation of the miserable slaves? Here the governor, whom a subsequent witness so considers the natural protector of

the class, as to supersede the necessity of other protection (vide p. 305), not only admits that the trial, on which he specially reported home, made so little impression on his mind as to render him incapable of stating any of its most important particulars, but finds an apology for himself in the acknowledged irregularity and summary character of all negro trials! What is this but an admission that, during his long administration, the slaves were so excluded from the pale of law, that they lived rather under martial discipline than civil protection? And is not this the gist of the complaint made by the whole abolition party?

With one more quotation from his evidence, I shall dismiss the Duke of Manchester. At page 6, I find the following question:—

“From the fertility of the soil in Jamaica, and the facility with which the ordinary means of support may be procured by the slave, would he, if now emancipated, have any motive for industrious occupation?”

“If he had land, and a very small quantity is requisite if it is fertile, certainly he would supply himself with every thing he wants; and with very little labour; because I should suppose thirty days’ labour in a year would cultivate ground quite sufficient for the support of any negro.”

This admission of the paucity of the negro’s wants, and the facility with which he can supply them, is made by many of the witnesses, especially by Mr. Shand; a planter of thirty-two years’ experience, who states that the negro can supply himself for a year, by the labour of *a single day*. (Vide p. 207.) And such admissions are valuable; for they give a specific answer to the absurd position, that the negro, if emancipated, will starve.

To sum up the whole; the Duke, the first colonial witness in every sense, proves himself to be ignorant, incautious, and inconsistent; and avows entire ignorance of the legal character of slavery. But yet he reluctantly admits the privacy of colonial oppression,—the habitual use of the whip,—the absence of a legal right to property,—the irregularity and unfairness of slave trials,—and, lastly, the ability of the emancipated slave to maintain himself by very moderate exertion.

This is the sum of his Grace’s testimony; and I presume, by this time, the West Indian Committee have congratulated themselves upon their sagacity in producing him! For myself, at least in this instance, I feel grateful for their candour.

MR. HINCHCLIFFE

appears to have been about seventeen years in Jamaica, practising at the bar there, and acting for fourteen years as Judge of the Vice-Admiralty Court.

It might have been supposed that such a man would have de-

rived from professional experience, a better opportunity of informing himself, at least as to the legal condition of the slaves, than any one not falling within Mr. Taylor's description.

But Mr. Hinchcliffe seems to have been overpowered, while under examination, by true professional scrupulosity.

On the question of interest, he appears no farther open to suspicion, than all official men who are paid out of the colonial purse, and have long resided in the colony, necessarily are. He disclaims all personal interest, though he admits that his relations have colonial property. He is not pressed to say whether this property is entailed upon himself, or what expectations he has of sharing it hereafter. I have too often found the examinations defective upon this point, though it is obviously one that should have been uniformly pressed.

To the charge of ignorance, however, this witness unblushingly pleads guilty, in almost every answer. There is not a man in the whole list who equally betrays himself on this head. Not less than eighteen times within the first five pages, this experienced lawyer, and profound judge, protects himself from the possibility of error, by such qualifications of his answers as "I know nothing but from general observation;" "I think;" "I rather think;" "If I may venture to speak from hearsay;" "As far as I can recollect;" "As far as notorious belief goes;" and so forth. When he gets a little further, he appears yet more seriously distressed, and indulges in absolute enigma. Of some of his delectable nonsense I will give a specimen. A question is asked at page 323, whether masters might not be induced by circumstances to claim some compensation from the slave, for the liberty that is at present allowed him of depasturing his cattle on his master's land? Let any body read the following answer, and make what he can of it:—"It is very difficult to foresee every consequence likely to result from such a change, in the relations between master and slave, as that law may open to the contemplation of the question, with a view to every possible conclusion (!!!) If, for example, the property of the slave in stock was to increase, in a manner beyond what he could sustain by the allowance of land made to him for his own subsistence, he would be very burdensome upon his master's property;" [*pro-di-gi-ous!*] "and it could not be otherwise than reasonable, in process of time, that he should make some bargain with his master for the employment of so much of his master's land more than was necessary for his own subsistence. That is the only way in which I can answer the question."

This is pretty well. What lawyer in Westminster Hall would not covet such profundity? And yet I think that the learned Mr. Hinchcliffe outdoes himself in the replies that follow at p. 324.

"According to the present state of the law in Jamaica, is there not

a proviso that slaves shall not turn out their horned stock without permission of their masters?"

"I rather think there is; but the consolidated slave law would answer that much better than I can from memory; it is natural there should be;—*there must be also arising out of the present order of things, because of course, when the slave had not a legal right to his property, there could be no object in restraining the slave from making an improper use of that liberty; for the master could restrain it; it arises on a law passed since I left the island.*"

Omitting an unimportant question.

"Now that stock is considered the legal property of the slave, might not such dispute lead to litigation before a court?"

"I have already said I cannot immediately contemplate how such dispute could be made exactly the subject of litigation."

"Will you refer to the Slave Act passed in February 1831, particularly to the words of the 14th clause, and state whether you conceive that the property of the slave is sufficiently described by law, to give him any legal right to the possession of any property at all? The words are, 'Whereas by usage of this island the slaves have always been permitted to possess personal property; and it is expedient that such laudable custom should be established by law: Be it therefore enacted by the authority aforesaid, that if any owner, possessor, or any other free person whatsoever, shall wilfully and unlawfully take away from any slave or slaves, or in any way deprive or cause any slave or slaves to be deprived of any species of personal property by him, her, or them lawfully possessed, such person or persons shall forfeit and pay to such slaves the value of such property so taken away as aforesaid.' Do you conceive that that does not impose the necessity upon the slave, before he can lay claim to the property, to show that he is lawfully possessing it?"

"I believe I have answered this in substance in my former examination; [where?] I can be supposed to give my opinion only. The way in which I should construe those words is with reference to the circumstance of there being certain property of certain descriptions *which slaves are prohibited from possessing*. Your Lordships will perhaps recollect you very kindly checked me, in consequence of my making use of an expression, not a very correct one, when I said, 'Property that the slave had a right to.' You said you do not mean that exactly; you said something that appears to imply contradiction; and I was grateful for the kindness of the noble Lord in calling my attention to it. The distinction is this; there are certain descriptions of property which the slave is *prohibited from possessing*; horses, for example, arms, and ammunition; and if I may venture to state my opinion of the law, in construing the law with regard to what I know of the practice of the law existing; I should say, the words 'lawfully possessed' mean to refer to the property the slave was *not previously prevented possessing*."

Your Grace will naturally ask yourself, as I have done, what property the slave could possess *previously* to this law, if *this law was the first* that gave him any right of possession at all? or *by what law* he was subjected to *prohibition* of possession, when

there existed *no law to enable him to possess any thing?* But to proceed with this learned mystification:

"Do you not consider, that to persons framing this law with a view to securing to the slaves legal possession of their property, it would more have been a matter of course to describe the property that they could so legally possess?"

"With great deference, I think not, *for the statute book already points out the property they are prohibited from possessing; and every thing not prohibited, is permitted, I conceive.*"

"Do not you conceive that the wording of this clause would afford an opportunity for dispute as to the legality of any possession had by the slave?"

"I think I have substantially answered that in my reply to the two preceding queries; *in fact, I have no difficulty, as a Jamaica lawyer, in understanding that law as expressing, in the most laconic manner, the right of a slave to a legal protection for every description of property which is not prohibited by positive law.*"

"Do you conceive that other words might not have given him a more secure possession of that property?"

"With great respect, *I really think not.* The more you attempt to make acts of parliament advantageous by enumerating every thing lawful to be done, the more difficult it is to hit the thing intended." [!!!]

"Do not the words 'lawfully possessed' impose upon the slave the necessity of proving that the property was 'possessed lawfully,' before he can establish his claim to redress, in case of that property being interfered with?"

"I conceive that no man can bring an action for injury done to his property without in some way showing that it is his property that has been injured. I cannot think, as far as my judgment goes, that it would be a sound construction of that law to require from a slave any further evidence of his property, than would be required from a free person of his property, if he brought an action for injury done to it, as far as the sound construction of that law goes."

"Supposing that necessity to exist, how could the slave show his legal right to that property, he himself being the property of another man?"

"*If the law recognises that the slave may have property of his own, independently of the right of another to his person, which in effect is his labour;—if the law describes that, of course the slave will have a right to insist upon the law in his favour. Under the Roman law the slaves had what was called a peculium; so property was practically allowed to him before any positive law was made in their favour in our colonies; and I conceive substantially this does no more than adopt the Roman law in their favour.*"

"Have the kindness to refer to the Act, and to point out that part of it which recognises such property in the slave."

"*I never saw this Act before the present time.*"

"You have said, if it is recognised; is it specifically recognised?"

"*I can only speak to my belief. I fancy that it is understood generally that it is recognised; and, if I may venture to answer from as much of this law as your Lordships have given me to read, I consider*

that a virtual recognition of it; but I have no knowledge of the rest of the law, for I never saw it in my life before."

"Will you refer to the first sentence of that clause again?"

The same is again read.

"It is said that it is expedient that such laudable custom should be established by law; I conceive this is the legislative recognition of the right of the slave to personal property."—(Vide p. 326.)

I would defy the combined learning of all the courts of law and equity in the kingdom, (not even excepting the House of Peers, may it please your Grace) to make any thing out of this labyrinth of legal confusion. Whoever pressed the examination has done it well; but, as for the poor witness, his wits must have been wool-gathering!

First, "the slave had not a legal right to his property!"

Then, he has a legal right, but his disputes cannot be "contemplated as the subject of litigation"!!

Then, a "prohibition to possess" gives "a lawful possession"!!! but, inasmuch as even the "prohibition to possess" is somewhat difficult to find, I suppose, in a statute-book under which the slave could possess nothing,* we are precipitated into an abyss of legal science, which would be alarming to any but "a Jamaica lawyer," as the witness calls him self; we are informed that the perplexing clause in the Slave Act of 1831 is intended to express, "*in the most laconic manner, the right of a slave to a legal protection for every description of property which is not prohibited by positive law*"!!! And after this, Mr. Hinchliffe has no difficulty! What can the man be driving at? However, I must not digress too far, in my eagerness to show his depth of learning. It would indeed offend the man's own modesty; and yet I cannot refrain from one more quotation. At page 323, are the following questions and answers:—

"Is it possible for a magistrate at any time to sit in judgment over his own slave?"

"I cannot take upon myself to say, at this distance of time, whether the owner is disqualified by express law; I do not think that he is; but, generally speaking, the owner of the slave is either the prosecutor before the other magistrates, in which case of course he would not sit as judge, or the law requires a notice to be given to the proprietor of any slave who is brought to trial by any other person; and he is then in the situation of the protector and defender of the slaves; so that neither way, practically, can I suppose it possible that the proprietor should ever sit as a magistrate in judgment upon his own slave."

* There shall be no mala fides on my part. The colonial act of the 14th Dec. 1809, imposes a penalty on the owner (not on the slave himself), who allows his slave to keep, not possess, a horse.

Mr. Hinchcliffe omits the *possible* contingency of the owner being the party accused! But to proceed.

"Are you perfectly satisfied that no case can occur, according to law or practice, in Jamaica, where a master may sit in judgment upon his own slave?"

"I do not know how to answer that question, as to the possibility in point of law; practically, I should think it a case that could not occur, as far as my judgment goes."

"In a question between a man and his own property, is it not consistent with the weakness of human nature that his mind may have a great bias in his own favour?"

"If the master is the accuser, of course I conceive there must be a bias in his mind that he is making a just accusation."

"Although the slaves were not allowed to hold property by law during your time in Jamaica, were they allowed to do so by practice?"

"Certainly."

"Did you ever know masters and slaves to litigate such property before any of the courts?"

"Never. I do not think it would be possible."

Now, I entreat your Grace to notice the exquisite modesty with which a colonial judge of fourteen years' standing, avows himself, in his answer to the first of these questions, unable to say whether "an owner is disqualified by express law for sitting in judgment on his slave." With what true colonial tact he shows the impossibility of the case occurring!—how dexterously, in the third of these answers, he evades the perplexing question to which he is replying!—and how reluctantly, at last, he admits the impossibility of the slave defending by law, that permissive possession of things, which, in common with all his party, the witness would set up as a right of property more sacred than law itself!!! Nor must I omit to notice how ingeniously the cross-examination, when beginning to be embarrassing, is turned aside at the conclusion of the extract!

Surely it is impossible that your Grace can remain blind to the paltry cunning of colonial advocates!

But I am bound to be more specific in showing the witness's ignorance. Let us take, then, the fifth question from the commencement of his examination.

"Have the goodness to state to the Committee what, in your opinion, was the situation of the slave population when you left the island?"

"I can know nothing," says the witness, "*but from general observation.*"

And again, in the same page,

"Had you, in the course of those visits," alluding to visits in different parts of the island, "opportunity also of seeing, and observing on, the treatment and habits of the slaves?"

"I should say so, certainly, *as far as any general observation will go.*"

"What was the general treatment of the slaves, so far as you had an opportunity of observing?"

"I believe it was good and kind, as far as I have any knowledge of it.—I have no reason to think the contrary."

Nor is the witness a whit more at home in matters of detail. He is asked, at page 16,

"In what year were the curates appointed in Jamaica?"

"I really cannot recollect."

Again :

"If there was a curate, did he reside in the capital town of the parish?"

"I think there could have been no curate any where, excepting Kingston, and St. Andrew's, close adjoining. I have a confused idea that there may have been a curate at Kingston, to assist where there was so much to do."

And at page 246, where he is requested to state in detail the comparative state of the agricultural labourer in England and the slave, he at once confirms the opinion of Mr. Taylor, and answers, "That it is impossible that any person who has not been actually engaged as an overseer in Jamaica, and a farmer in England, can pretend to give the minute answer which is required."

But in other places he is yet more explicit in his admission of ignorance.—At page 247 he is asked, whether he knows the exact amount of the allowance of food made to the slave in case of drought. He replies, "*I cannot charge my memory with the exact allowance made under those circumstances.*"

A little lower down,

"Can you state the quantity of clothing allowed to each slave?"

"In detail I cannot."

Shortly afterwards,

"Would not a complaint made by a slave, and appearing to be unfounded, subject him to corporal punishment?"

He refers the examiner to the slave law, and adds,

"I cannot state at this moment how the magistrate would feel himself called upon to act under those circumstances."

After such repeated disclaimers of knowledge, and experience, as I have quoted, can it be pretended that this is a witness entitled to any respect?

It is not to be supposed that a man who answers nothing without a doubt, would commit himself materially in respect of consistency: yet even here the witness is far from impregnable. At page 14, he is interrogated upon his opinions as to the effect of emancipation upon the slave population, and their inclination to labour when free.

He answers,

"I have no notion of any negro labouring beyond what is necessary for his own immediate support: he may perhaps make his wife and his children labour, as long as he can keep them in order, if he has them; and a very small portion of labour would be sufficient, I should think, to supply his wants in any part of the island, where provisions are easily grown. I presume he would naturally very soon relapse into barbarism. *I state that from my knowledge of the character.*"

If your Grace will turn to page 331, you will perceive that the same witness makes the following answer:

"*I have had no opportunity of judging of the free negro, except in a few individual cases; for the proportion of free negroes to the slaves is such as would be likely to afford to any individual only a few cases to exercise his judgment.*"

Is your Grace of opinion that these answers are, *bonâ fide*, consistent?

But you shall have another specimen.

On his first day's examination, the following questions and answers appear:—

"Are the dissenting ministers generally men of colour or whites?"

"When I was in the island, *I do not recollect any men of colour but blacks?*"

"Were they free negroes?"

"Of course, but I am not aware of the fact; I only speak of *those I may happen to have seen.*"

Now let us turn to page 334, where this subject is revived.

"Did you ever hear a black preacher?"

"I never went to their preaching."

"You cannot of *your own knowledge* state that a black person has preached at any time?"

"*Not of my own knowledge, any further than I think I have heard this Lile say he had preached; but I cannot be quite sure of that;* but the difference is one between positive knowledge and mere belief.

"You cannot be certain of knowledge?"

"No."

Can your Grace assist me to reconcile these conflicting statements? I will take yet another instance.

"Do you happen to know whether plantation negroes were in the habit of bequeathing their property, and whether those bequests were held sacred by custom, though not by law?"

"*If I am to speak to belief, I should say certainly. I have heard them talk of the negro grounds, their assigning them to their family, and so forth, as if they had a positive right of property in them.*"—(p.17.)

Compare this answer with the following, at page 338.

"You have stated that property may be bequeathed by a slave; did you ever see the will of a slave?"

"*No, not that I know of.*"

* The reader will be puzzled to understand this. I can only say that the extracts are faithfully made, even to the punctuation.

Nor is the conscientiousness of Mr. Hinchcliffe less remarkable than his consistency.

The following questions will explain themselves:

"In your former evidence you, perhaps without intention, have brought a very heavy charge against the Baptist missionaries; you have said that the Moravians were considered the most acceptable missionaries. You were asked, 'What do you mean by the most acceptable?' To which you answered, 'I mean that, as far as my information goes (for I am still speaking only by the impression in the country) the character of the Moravian missionaries was not such as the character of several of the Baptist missionaries; and that many people thought the Moravian missionaries might do good, and did good; that is what I meant to say.' Now a heavy charge being conveyed against the Baptist missionaries by the import of that expression, you have this morning admitted that you know only one Baptist missionary, and that he was a respectable man?"

"I have already mentioned another."

"Did you know that other to be a Baptist missionary?"

"I believe so; but *I do not know* particularly he was a Baptist missionary: he was a missionary simply."

"You have not stated any offence of which that man was guilty?"

"I have not stated that he had been guilty of any offence, to my knowledge. I did not mean to do otherwise than to give an answer to the question put to me, that, as far as I had understood, the Moravian missionaries were better thought of than the Baptist missionaries. I did not make any imputation against any individual. I may be under a mistake as to that, for aught I know; I do not say that I know whether he was Moravian or Baptist."

"Are you aware of any heavy imputation which is cast upon the Baptist missionaries?"

"No further than as they are connected with the persons that have just now been distinguished as preachers. *I merely conveyed a charge against their character*; and if the Baptist missionaries are connected with them, it may extend to them, but not by any knowledge of mine."—(Vide p. 336.)

"He *merely conveyed a charge against their character*! Does your Grace need any further satisfaction? I think for a man, being a barrister and a judge, and obviously erring on the side of caution, the carelessness of his swearing is a little remarkable; but in fact, like His Grace the Duke of Manchester, the man's evidence even in favour of his party views, when sifted, amounts to nothing.

The West Indians have here again done their cause more harm, by producing a witness so easily "shown up," than his evidence would benefit them, even were it true. They reckon badly in these matters. But, in this case, as in the last, some little circumstances accidentally escape, of which an opponent is fairly entitled to avail himself. At page 15, Mr. Hinchcliffe is asked

"Was marriage common among plantation negroes?"

"I never heard of it."

Again, at page 17,

"Could any considerable number of plantation negroes, at that time (alluding to the time of his residence), avail themselves, with convenience, of the means of religious instruction?"

"As far as my opinion goes, *certainly not*."

"During the time of your residence, had the slaves any legal right to the possession of property?"

"I believe *certainly not*."

And, to turn to another subject, on which the witness must have been well-informed,—the constitution of the courts,—we find at page 19,

"Is there no gentleman learned in the law to preside in the magistrates' court?"

"There are no lawyers in any court except the Supreme Court; and there only one, the chief justice; and that of late years only. All the other persons appointed are the magistrates who hold that particular office."

And, a little lower down,

"Is there not always a legal assistant to their decisions in all the courts?"

"With respect to the practical administration of criminal justice in Jamaica, the attorney-general, though he is the public prosecutor, is to all intents and purposes the assistant to the judges."

And, passing over a question or two,

"Is there no judge, who is a legal man, that goes the circuit?"

"No, unless the judge should have happened to have been a lawyer."

No wonder that their statutes should have been too "laconic," except for a "Jamaica lawyer." But, what can be thought of the system of criminal jurisprudence here described, when a poor slave is the party accused?

There is another inadvertent admission, which is important to quote, because it refers to a fact which some have had the audacity broadly to deny; but what will not a West Indian witness deny, if it suits his pleasure, when we find a gallant officer, in another part of the evidence, carelessly swearing that in Jamaica the sun does not shine in broad day!!!—(Vide p. 115.)

"How do you reconcile the acquisition of property by the slaves, with your opinion that they are indolent and improvident?"

"These persons are slaves; the industry of these persons is THEREFORE to a certain degree compulsory, and their profits of industry are kept up by compulsion"!!!

With another quotation, that supplies an opinion which is valuable in the mouth of a colonist, I resign Mr. Hinchcliffe to a drum-head court-martial, of which I pray that your Grace may be the president.

At page 332, in reply to a question "whether the expectation of freedom would render the slave more restless and agitated, than the despair of obtaining it, unless at a remote period?" the witness, favouring us as usual with a long rignmarole of absurdity when the answer to a plain question is inconvenient, lets it escape him, as if unconsciously. "I believe, from most masters, if they consider their own interests, that freedom might be obtained."

Then, to sum up the evidence of this man, as I did that of the Duke of Manchester; it appears that, during his time, marriage was unheard of; religious instruction almost impracticable; slave property unprotected by law; the tribunals unassisted by legal knowledge; labour obtained by compulsion; and, as the result of all, that emancipation would have been more beneficial to the master, than to prolong the state of slavery!!

Such are the admissions extorted from a colonial witness in favour of Anti-Slavery principles! while, on the other hand, he confesses himself ignorant to the last degree of the very facts he was called to establish; though he proves himself so eager to promote the objects of his party, that even professional caution cannot guard him from frequent inconsistency.

I now turn to

MR. BAILLIE.

Mr. Baillie seems to be a witness on whom great reliance is placed. His examination occupies no less than 122 pages; and it must be confessed that he swears up to the mark most gallantly. Indeed there is something amusing about the uncompromising straight-forwardness, with which this most useful witness goes directly to the point. There is no evasion—no flinching—no argumentative explanations; but he swears roundly and stoutly, that slaves are happy and contented; that their property is protected; their protection certain; their religious and moral advancement the object of unceasing attention; and their luxuries and comforts unparalleled in any country under heaven.

All this, coming from a resident of twenty-seven years, is of course unquestionable and invaluable. But let us take the witness's own words:—

"Will you state to the Committee what was the condition in which you conceive the slaves to be at the time of your leaving the island; what was their treatment?"

"The opinion I have been able to form is that they are happy and contented."

"Are they sufficiently provisioned, generally speaking, throughout the island?"

"I think generally; I may say completely so in the districts in which I have resided."—(Vide page 22.)

And, in another place, page 30,

"Do you think the slaves are, unless with exceptions, insufficiently maintained?"

"I hardly know an instance where they are not well maintained. It is the interest of the proprietors to maintain them."

"Do you think that the slave in such cases is compelled to do more work than is usual for an English labourer to do?"

"Not one-half so much."

He candidly acknowledges afterwards (p. 129) that he is "a perfectly ignorant farmer." But to proceed.

"Have any improvements been made in the moral and religious feelings of the slaves during your residence in Jamaica?"

"I think considerably so."

"Did those improvements appear to you to be in a progressive state?"

"Very much so."—(Vide page 22.)

"Had the colonists during the latter years of your residence in Jamaica given aid and facility to the extension of public worship among various denominations of Christians?"

"Very much so; and I had an opportunity of witnessing that, particularly on my last return to the island. In each of those periods I saw a very sensible difference in improvement and in religion in my negroes; and not only my own, but generally."—(Vide page 23.)

"Are voluntary manumissions frequent?"

"Very frequent, as I have understood; and I have offered manumission to my own negroes, and not one has ever accepted it."

"Were those negroes to whom you offered their freedom possessed of property sufficient to have enabled them to pay the price of it?"

"Considerable property; more than sufficient to pay the price of it. So much so, that there was one man, who has been executed the other day in the rebellion, that I suppose was worth six, or seven, or eight hundred pounds. He had cattle running upon my estate, and other property. He was a leader in the rebellion."—(Vide page 24.)

And these are but a few samples. What can be more conclusive, more satisfactory than this? How frequently will these statements be quoted? With what self-complacency will the authority of this twenty-seven years' planter be produced, in refutation of the lies and calumnies of the Abolitionists! And perhaps, your Grace too will chuckle a little at the contradictions thus given to those "psalm-singing methodists." But, I pray you, before you hastily decide upon the value of this evidence, to try it a little by the three tests of credibility to which I have adverted—interest, knowledge, and consistency.

Who is Mr. Baillie? A planter, a slave proprietor; and with all the prejudices, and all the ties of alliance, friendship, and

commercial engagements that twenty-seven years' residence in a colony must inevitably create—an owner of 350 slaves; and a sufferer, and a severe one, by that rebellion which, by his own statement, the slaves contributed to excite. Does your Grace consider a man so circumstanced, a disinterested witness? Had I occupied that chair which your Grace has so impartially filled, I would at once have emphatically expressed my opinion that evidence like his could not be so free from suspicion as to satisfy the British public, or his Majesty's Government, upon this entangled question. But I am more willing to believe that important matter may have escaped your Grace's attention, than that you would wilfully shut your eyes to such considerations.

Now let me examine this witness as to his knowledge. Your Grace will please to recollect not only that he is a twenty-seven years' resident, but has had as many as seven estates at one time under his management.—(Vide p. 70.) Surely he should "know all about it"! Let us take at random some instances of his laborious research, and accurate observation.

"You have stated that manumissions were frequent; can you mention some instances within your own knowledge of voluntary manumissions?"

"I cannot bring any to my recollection at this moment." (Vide p. 110.)

And this answer is repeated in the same page.

"In representing the improvement in point of instruction, you stated that there were many more schools than there used to be. Will you mention the number and situation of the schools which you say were much extended?"

"When I resided in Jamaica, there was I think but one school in St. James's, and but very few brown people went to it. The last time I was in Jamaica in 1826 I understood there was a very large one, and that it was generally attended by the children of the town of Montego Bay."

"You say that you understood there was a school. Did you see that school?"

"I never was in it; for, as I mentioned before," &c.; proceeding to give his reasons.

"Do you know any other schools?"

"There are schools in Trelawney; and I believe, from what I originally understood, there is hardly a town in the island which has not got schools."

"You are asked what you have seen?"

"I HAVE SEEN NOTHING"!!

"Since you acted as agent and attorney for those estates, you never visited any of those schools?"

"I CONCEIVED THE ESTATES HAD NOTHING TO DO WITH THE SCHOOLS"!!

"Do you know an instance of any slave upon the estates you manage attending such schools?"

"I DO NOT"!!!

"Were you ever applied to for permission for a slave to attend a school?"

"Never."—(Vide pages 110 to 112.)

What does your Grace now think of the competence of this witness to speak upon the subject of education, or general improvement? But perhaps he may be better informed upon other matters.

The witness has just stated that the additional days given to the negro are quite sufficient to find him in provisions, without the Sundays.—(Vide p. 120.)

"Then it is optional with them to work on that day?"

"Yes."

"It is the market-day?"

"It is the market-day before church, as is the case in this country"!!!—Vide p. 120.

Again,—

"You have stated that, so far as you understand, the present slave law prohibits the division of families by sale. Do you mean to refer to the Act of 1831?"

"I was not adverting particularly to that; for I believe the same clause was in some previous acts. But I am not certain of that; *I have a vague idea that it was so.*"

May it please your Grace to bear in mind, that the man here speaking of his "vague ideas," is not only a planter of twenty-seven years' experience, but a *magistrate*, whose duty it was to protect the slaves, by the aid of this very statute, had any such existed.

Again,—

"What is the sustenance that the master is compelled by law to give the slaves?"

"*That is a question I am not perfectly competent to answer. I should beg leave to refer to the laws of Jamaica for that purpose; for I have not fed any of my negroes, as they have provision grounds for their support.*"

And, after a few intermediate questions, the examination proceeds.

"During the twenty-seven years you resided as a planter in the West Indies, did that case (alluding to drought or hurricane) ever occur?"

"Repeatedly droughts have occurred."

"You were on these occasions compelled to provide the slaves with food at your own cost?"

"Yes."

Your Grace will not fail to observe here the palpable contradiction between this and the last answer but one. But I will not anticipate proofs of his inconsistency.

"What did you conceive the amount which you are required by law to give?"

"Not having the law to refer to, I suppose I acted not according to the law, but according to what the negroes actually required."

"You cannot say under what penalty you lie in the event of your not supplying sustenance?"

"*I cannot charge my memory with that particular.*"—(Vide pages 125 and 126.)

Let it never be forgotten that this man, as I have said already, is a magistrate, whose duty it was to enforce such law! and yet he thus unblushingly avows his ignorance, and cannot touch even for his own compliance with the law! Is he better informed on the subject of clothing?

"Are you aware that yearly accounts are required of the provision made for the clothing delivered to slaves, the days allowed to them, and negro grounds inspected, under a penalty of 100*l.*?"

"Yes, there is such a law."

"Was there the same law when you were residing in Jamaica?"

"I am pretty sure there was."

"Do you know a single instance in which that law has been complied with?"

"It has been regularly complied with upon my own estate, *I imagine*. I have not kept any returns myself."

"Do you know a single instance in which a penalty has been inflicted in consequence of non-compliance?"

"Not knowing of any penalty, *I presume* the returns have been made; *I understand* there is such a return made and sworn to. Whether any individual has falsely sworn it is not for me to say; I have not heard of such a case.

"Did you make a return according to that Act?"

"My overseer does, *I believe*; *I never inspected it*. He is called upon to make a quarterly return into the vestry."

"You have not made a return yourself, but it is made by your overseer?"

"Yes."

"So far as you know, that act is complied with?"

"Yes."

"You never saw such a return, and do not know that it is in fact made?"

"Such a return does not come under my cognizance."

"Did you ever hear of the penalty being applied for, for a non-compliance with that law?"

"*I never did.*"

"Were you a magistrate?"

"*I was.*"*—(Vide p. 126.)

Hence then it follows, that the immaculate planters never sup-

* These last five questions are clearly put by a friend, to soften down the avowal of such uncommon ignorance: but they are useful, nevertheless.

ply too little clothing, nor detract from the number of days allowed to the slave, nor fail in the due inspection of the negro grounds; or else that the law is a dead letter; or, which is an equally probable alternative, that this worthy administrator of the law is profoundly ignorant of the law he was sworn to administer!!

I will take one more specimen of ignorance upon a point of yet deeper interest to the slave, and yet more essentially requisite for the qualification of a magistrate. Speaking of the whip, one of the Committee observes,

"You do not believe that the driver is prohibited from the use of it by law?"

"*I cannot say what the law is; that must speak for itself. But I know that it is prohibited by the proprietors to be used by the drivers without authority.*"

"What do you mean by authority?"

"*A white person ordering a flogging; THAT I CONCEIVE TO BE THE AUTHORITY—that he shall not punish the negroes himself.*"—(Vide p. 129.)

Is it possible that any thing in the annals of assurance can exceed this?

Thus, upon the four cardinal points of slave treatment—food, clothing, punishment, and education, this planter of twenty-seven years' standing,—this magistrate, who deprecates slave protectors as unnecessary mischief-makers, (vide pages 33, 34, and 55),—this owner of 350 of his fellow-subjects, avows himself equally ignorant of their legal rights, and of his own legal obligations! Yet he is thrust forward with all the pomp of antiquated experience, to talk over your Lordships, and to cheat the public into the delusion that slavery is a mere bugbear to frighten children! But I proceed to my third test; to try the man by his consistency.

We have already accidentally stumbled upon one or two specimens; as, for instance, at page 24, "voluntary manumissions" are, as he has understood, "very frequent." But, at page 110, he cannot bring one to his recollection. Similar instances are innumerable.

"If the negroes believed that a protector was appointed to watch over their interests, do you think they would have the same objection they have now to other persons going into their cottages?"

"I conceive they might not have an objection to their going into their houses for any express purpose, but I conceive that it would give a power to the protector of going into houses at improper hours, and it might lead to very unpleasant consequences upon an estate; for instance, the negroes may be supposed to be at their work, the male population have quitted their houses, the females, pregnant women, women of colour, washerwomen, and various descriptions of work-people, not generally occupied in field labour, are then in their houses; and I conceive that if a protector has admission to those, there might

be practices introduced there not at all congenial to morals and religion."

"Do you think that is the reason the negroes would object to the protectors going into their houses?"

"No, I should suppose not."

"Do you think *they would be jealous of men approaching their females when they were absent themselves?*"

"*I conceive that the men would be dissatisfied at it.*"

"You are aware that the labourer in England would have no objection to an overseer of the poor going into his cottage when he was out at work; why do you think the negroes should have a greater objection to a gentleman appointed for the express purpose of guarding and watching over their interests?"

"For the same reason that they are even jealous of their masters going into their house in a friendly way, not for inspection or for detecting any thing particularly, *but they do not like their masters or any others to go into their houses.* In the instance I mentioned of the barracks, they gave that as the reason; I can mention one estate where a very heavy expense had been gone to in erecting barracks, a row of houses the same as may be built here."—(Vide p. 33.)

The meaning of these answers is obvious—that a jealousy of approach to their females makes the slaves dissatisfied, even with their master's visits to their houses. This clearly justified the inference that the slaves had had some experience of the danger of such visits, and of course led to the following question upon a cross-examination:—

"What ground can there be for the fears and jealousies you anticipate on the part of the negro, in consequence of the protector's visits, if he has never hitherto received any insults of the kind from his owner or the overseers?"

"I do not pretend to say it is *an insult.* Women about those houses may be exposed to having connexions, without there being much force about it; but they are more exposed, if the protector or other person is permitted to visit their houses at all hours in the day and night, and when their husbands and families are away."

"You have stated that you know no instances of an owner or overseer going into a negro's house without permission, but that you are of opinion that the men would be very jealous if the protector of slaves were authorised to visit their dwellings; how can you judge of the jealousy, if no instance of the kind has occurred?"

"I think it is a natural conclusion. they are very jealous and very quarrelsome. There are more quarrels on an estate on that subject than on any other; and I think it would be likely to create jealousy to see a man walking into their houses."

"You say that they are jealous of their masters' going into their houses?"

"*I do not refer that to jealousy on that ground, but to jealousy of the right of going in.*"—(Vide p. 156.)

Observe this subtle shifting of the ground of jealousy—from the object of the visit, to the right of making it; this ingenious

device to extricate himself from the implied admission of a tyrannical exercise of the owner's rights; and then ask yourself, my Lord Duke, how such metaphysical distinctions square with the simplicity of an honest witness?

Again, at page 34, Mr. Baillie is asked,

"Can the slave dispose of his property by will?"

"Certainly."

Such is the laconic answer. Turn again to page 156, and there we shall find to what this bequeathing power amounts, and how unfair this reply would have been if left, as was intended, unexplained.

"What gives him the power of bequeathing by will any of his property?"

"The courtesy of the master, I should suppose."

"You are not aware of any law that secures it to him?"

"We seldom read our laws to our slaves."

"Did you ever see the will of a slave?"

"No; I NEVER HAVE."

"Where must it be recorded?"

"There is no record necessary."

"You say you do not know a slave who can write; how is it written?"

"It is not written; no negro reads or writes."

Does not this remind your Grace of Mr. Hinchcliffe?

Again, at page 34, the witness is asked,

"Is marriage encouraged by a premium on women bearing children—by a sum of money, or by an exemption from labour, when a woman has borne a certain number of children?"

"There are certain premiums of encouragement to the women; I can mention them if wished."

At page 157, he is desired to state the nature of this encouragement.

"We give them two dollars upon the birth of a child, and have offered two dollars if a woman would wean a child at the end of the year; she has an allowance of sugar, &c."

"The question is whether marriage is encouraged by premium?"

"No; if I said that I misunderstood the question."

In fact there is scarcely a question of any import addressed to this witness in his examination in chief, which is not contradicted, or attempted to be explained away, at a later stage. Take another instance.

"Is not the apprehension of the planter as to the appointment of a special protector in Jamaica, founded upon the peculiar situation of society under the system of slavery, rather than on any desire to conceal any ill-usage towards the slave?"

"Certainly."—(Vide p. 35.)

But towards the conclusion of his examination, at page 158, we find the following direct contradiction:

"What are the circumstances connected with the peculiar situation of society to which you refer?"

"I do not conceive it is from the peculiar situation of society it would arise."

Now the question certainly was itself unmeaning; but still the answers are directly at variance, to a degree that even Mr. Burge's ingenuity will find it difficult to reconcile.

Again, at page 37, he is asked,

"Do the field Negroes wear shirts?"

"Generally speaking they do."

At page 159 the question is repeated,

"Do you state that the field Negroes wear shirts generally?"

"No; occasionally, not generally."

Try him on another point—spell-keeping.

"What is called spell-work?"

"Imagining I might be called upon for that, I have drawn it out, and will beg to read it."

Upon this statement, being thus deliberately and advisedly prepared, he is examined.

"You say you have three double spells?"

"Yes."

It comes to the turn of each Negro to keep spell twice in the week?"

"Yes."

"Does he keep spell during the whole or half of the night?"

"Half the night there are double spells."

"Each negro keeps spell during six hours of the night twice a week?"

"Yes, two half nights."—(Vide p. 49.)

Now let this be compared with his re-examination, on the same subject, *some days after*, at page 136.

"You will not swear that they have more than twenty-four hours rest for sleep in the course of the six days?"

"I will not swear that they have by night."

How can both these statements be true?

Your Grace may perchance consider that these are trifling variations. I will then quote his evidence upon a matter which must be admitted to be of no trifling import; and you shall judge of his consistency there.

"In your former examination you stated that there was a head man who superintended the labour of each division, or gang, as you call it, of the field labourers on a plantation."

"Yes."

"Does he carry a whip upon your estate?"

"He does."

"Is that whip such a whip as is used by carters in driving carts and waggons in England?"

"Certainly not."

"Is it such a whip as is used for the same purpose by carters in Jamaica upon your estate?"

"Not at all."

"Is it used upon your estate in the same manner as cartwhips are used by carters in England or in Jamaica, to stimulate the exertions of the negroes in the performance of the work?"

"Not at all."

Have you ever seen such a whip as is used by carters in England employed by the drivers or head men in Jamaica?

"I think many years ago I might have seen such a thing."

"How many years ago is it since you ever saw such a thing, or heard of such a thing being practised?"

"It must have been previous, I think, to the abolition of the slave trade."

"Did you ever see it yourself?"

"I have seen it."

"Frequently, or very seldom?"

"I had an opportunity of particularly seeing it, for I was a book-keeper on an estate; I served my apprenticeship as a book-keeper, and had an opportunity of seeing it then."

"The practice has been discontinued during a very considerable period of time?"

"Totally."

"Can you state how long?"

"I think I may safely say from the year 1795 and upwards. At that time I had charge of the estate."

"Have you had sufficient knowledge of the practice of various plantations in Jamaica to venture to say that it is not now the practice in that country?"

"I believe I can safely say so, for I have had charge of upwards of 2000 negroes myself. My estate is now in charge of a gentleman that has had upwards of 5000 negroes under his direction; and I have been, when last in Jamaica, in the practice of riding about those estates with him."

"You were in the habit of seeing the negroes at work upon all the estates in your parish, or within a district of twenty miles round, were not you?"

"Certainly."

"Can you venture to say that within that district no such practice prevails?"

"As far as I saw, none. Upon my own estate, when I was twenty months upon it, I saw only one negro punished upon my estate."

"The question refers not to it as an instrument of punishment, but as a stimulus to labour; for what purpose is the whip carried upon your estate and others?"

"As an emblem of authority."

* Afterwards, at page 128, he admits that it was in use till 1815, though here he never heard of its being practised since 1807 !!!

"Not as an instrument of punishment?"

"Certainly; occasionally as an instrument of punishment."

"To what extent are such punishments ever carried; what number of lashes in the field?"

"About half a dozen lashes."

"On the clothes, or naked?"

"Generally on the clothes."

"When more severe punishments are inflicted, under what regulations are they inflicted?"

"By the laws of Jamaica."

"Taking the practice of your estates, what regulations or rules are there with respect to the infliction of punishment of a more severe character? is it inflicted ever without the order of the overseer?"

"Certainly not."

"Is there any regulation upon your estate with respect to a period of time being required to elapse between the commission of the crime and the infliction of the punishment?"

"I have understood that the laws of the island prohibit the use of the whip without giving ample time; but having seen but one punishment upon my estate, of course I am not competent to say further than that."

"Do you mean that you never saw more than one punishment upon your estate during your residence?"

"Frequently; but I am speaking of a residence of twenty months when I went out in 1822 and came back in 1823; previous to that I had seen, when I was residing upon my estate, punishments inflicted."

"Do you mean that during twenty months only one punishment was inflicted upon your estate?"

"One corporal punishment by the whip?"

"What was the number of lashes?"

"I think there might have been about ten."—(Vide p. 41, 42.)

Every one must see that it is intended here to imply that the cartwhip is no longer used in Jamaica, unless as an instrument of occasional punishment; and even in that case subject only to all legal restrictions. Mr. Baillie expressly denies, in so many words, that it is used at all "to stimulate the exertions of the negroes in the performance of their work." At page 60, however, he has apparently forgotten the disuse of the cartwhip as a stimulus to labour; for, when getting upon that colonial stumbling-block, the reluctance of an emancipated slave to work, who works cheerfully in bondage, he observes, "the nature of the negro is such that, *unless he is compelled*, he will not work." At page 152 the subject is revived—as much I suspect to the annoyance of the committee as of the witness—for it is interrupted by one of those frequent "orders to withdraw" that imply a warm discussion.

"Do you mean that the better class of negroes, such as tradesmen and domestic servants, will not work for wages?"

"They work occasionally."

"It is for the reason of being more lazy that you suppose that no inducement of a pecuniary nature would operate on a negro as on another man?"

"The climate may have some influence upon them; that I am not prepared to say."

The witness is directed to withdraw.

The witness is again called in.

"If the natural aversion to labour on the part of the negro is so great that it cannot be overcome by the temptation of fair wages, must not personal coercion be proportionably severe to overcome such deep-rooted reluctance?"

"I think not, because I am not aware of any *undue* coercion being necessary, or *having been exercised upon them*; and referring to the conduct of the people in St. Domingo, we see how they are acting, and that they do not act without coercion there."

"You will not deny that the slaves do work in Jamaica?"

"They do work in Jamaica."

"And they do hard work in Jamaica?"

"Not harder than men would all over the world, or so hard."

"You have described some species of labour that is done by negroes which is hard work?"

"That very labour I described as hard I have stated that the negroes, where it is given as task work, perform in two hours less than the time generally occupied in it."

"Some of the labour is severe?"

"Yes."

"You mean by *compulsion*?"

"Yes."

"If his natural aversion to labour is so great that it cannot be overcome by the temptation of fair wages, must not personal coercion be proportionably severe to overcome deep-rooted reluctance?"

"The questions are put in such a shape that I feel as if I was puzzled before a court of justice, instead of being examined before a committee of your lordships, I know of no *undue coercion*, no severity used; and of course we must lose a great deal of labour from the want of that."

"Do you mean to say the slaves work in Jamaica without coercion?"

"They would work a great deal more if they were more coerced."

"Do you mean to say that they work now without coercion?"

"That depends upon what is coercion, whether it means by force what is included in the usual course of coercing. A man may be coerced by language as well as by force of arms."

"You have said that the word coercion is not sufficiently definite, and it may be differently interpreted; the question refers to the fear of punishment?"

"I believe that they are all afraid of punishment if they do not obey orders, the same as the soldiers and sailors, and other men."

"They do work under coercion, meaning by coercion the fear of punishment?"

"Yes, similar to the soldiers or sailors."

"Is not that punishment occasionally severe?"

"Not for neglect of labour."

"The last time you were residing upon your estate, what number of punishments were inflicted upon men for not working harder?"

"The only negro punished, when I was last in Jamaica, was punished by my order for insolence to myself—putting his hand into my face."

"Were any punished for neglect of work?"

"I can't speak to that, as I did not attend the field; *there might be half a dozen lashes given for neglect of work, or something of THAT KIND, OF WHICH I KNEW NOTHING.*"

"Might not there have been more than half a dozen lashes if an overseer was present?"

"THERE MIGHT HAVE BEEN."

"Might not they, without your presence, and in the presence of some other person in authority, have had more than half a dozen lashes?"

"THEY MIGHT HAVE HAD."

The unfortunate witness, in his impatience to escape, stumbles over his own legs, in such a manner as to call for the aid of one of his noble allies; and, though foreign to my immediate purpose of exposing the witness's inconsistency, it is too lovely a specimen of noble goodnature to pass unnoticed.

"Did the slaves complain to you?"

"Not one; and they are very prone to make complaints."

"If slaves were free, would a slave with money in his pocket work?"

"I think not."

"Do the punishments for indolence in the field vary very much?"

"Yes, very much; they are frequently very idle, and the punishments vary."

"Do not labourers in England work because they would starve if they did not?"

"Decidedly."

"Do not servants in England perform their duty under the fear of punishment, that is to say, the fear of their being discharged?"

"Certainly."—(Vide p. 153.)

Notwithstanding this friendly assistance, however, poor Baillie cannot get out of the scrape; for at page 135, having mentioned an instance of contumacy in a slave, he is asked, "Can you recollect an instance of any other slave refusing to work without receiving punishment for that refusal?" "No, I THINK ONE IS QUITE ENOUGH." Thus then, he begins by disclaiming the use of the whip as a stimulus to labour; he then incidentally lets it escape him, that the slave will not work unless compelled; he next admits compulsion; adding, that they "would work more if there were more of it;" and piteously complaining at the same time, that "he is as puzzled as if he were before a Court of Justice;" and to wind up all, he lets out the honest

truth, "they might have some half dozen lashes now and then for neglect of work," and in fact, he thought, "one escape from punishment for refusing to work, quite enough" for twenty-seven years' experience in Jamaica !!!

Your Grace is well aware that branding a slave, to identify him in the event of his absconding, was no uncommon practice in Jamaica. Mr. Baillie, however, stoutly swears to the contrary. I will recall it to your Grace's recollection; the whole passage is most edifying, not only as regards the consistency of the witness, but the tender anxiety of the Committee, if I may be allowed the homely phrase, when speaking in such a dignified presence, to help a lame dog over a stile!

"Can you state in detail the improvement which has taken place, and the laws by which such improvements are generally enforced?"

"For the laws, I beg leave to refer to themselves; as to the condition, it is, I suppose, matter of opinion. We have persons better dressed here, servants and others, than they were some years ago, even in silks and so on; and I judge from the appearance of my negroes; they appear happy and contented, and they go better clothed than they did formerly."

"Is there any improvement in their manners?"

"I think they are much more civilized than they were formerly; the creoles are considered superior in that respect."

"You consider the improvement as having taken place when you went back in 1821?"

"It was going on at the time."

"You think there was improvement?"

"They were improving."

"How then can you account for the fact of there being so many runaway negroes, the most of whom appear to be branded or maimed, as they are to be found in every Jamaica Gazette?"

"When the population of the island of Jamaica is taken at 340,000 negroes, the loss by desertion, if compared with even our own army and navy, I believe, will be found to be small in proportion. In my 350, since 1816, I have only two deserters. I have got a document in my possession that proves that in one a 1 twenty months, out of 162 pioneers, there have been thirty-one deserters, and out of those thirty-one deserters there are only twenty have returned, and there were still eleven absent."

"Can you assign any satisfactory reason for the number of runaway slaves advertised in the Royal Jamaica Gazette?"

"My opinion is, that it arises from laziness principally among the Africans; and with regard to the marks, that confirms my idea, for I believe that since the abolition of the slave trade no negro has been branded. I have never branded one myself, and I do not think that there is one negro out of 350 upon my estate branded; there is not one to my knowledge."

"Are the creoles ever branded?"

"No, I think not, unless they were notorious runaways; that is, formerly."

"Do you apprehend there is better management on your estate than on the generality?"

"Not at all; I only refer to that because I can speak to the matter of fact."

"Can a negro be branded now by law by the owner?"

"Decidedly not."

"In point of fact, are they branded?"

"They are not."—(Vide p. 138, 139.)

Nothing can be more explicit than this; that "the creoles are never branded, unless notorious runaways," and that in point of fact, "negroes are *not* now branded." But Lord Suffield has not the merit of good natured credulity, and produces the Jamaica Gazette.

"Have the goodness to refer to that Jamaica Gazette now shown to you, and say whether you do not find any instances of young people branded. Is there *not a girl of eleven years of age branded?*"

The Gazette shown to the witness.

"That may have originated from what I stated."

"Have the goodness to state the name of that child, and her age."

"*I do not wish to give this as my evidence.*"

"Have you any doubt that that is a Jamaica Gazette?"

"*I have no doubt of it.*"

"Will you look at that advertisement, and have the goodness to read it?"

"*I have read it.*"

"Have the goodness to read it to the Committee."

"Tukey, a creole girl, four feet ten inches, *marked R. C.* on left shoulder, and pock-picked in her face, to William Dunn, Esq., Ochorias Bay."

"Will you state the date of that paper?"

"*March the 13th, 1824.*"—(Vide p. 139.)

What could be more provoking? Here is a distinct, point blank contradiction; and given too by a colonial journal—there is no getting over it. Baillie swears one thing; the Gazette swears another; and nothing remains to save the witness, but the Quixotic attempt to impeach the veracity of the Gazette! What will the people of England say, my Lord Duke, when they read the following quotation?

"You have just read a paragraph from a Jamaica paper; do you know that of your own knowledge to be true?"

"I do not."

"From whom did you receive that paper?"

"From my Lord Suffield."

"Did Lord Suffield, when he put that paper into your hand, pledge himself to you for the accuracy of that advertisement?"

"He did not."

"You know nothing at all upon the subject, except the authority of having received it from Lord Suffield?"

"Nothing whatever."

"You are in the habit of reading English newspapers?"

"Yes."

"Do you believe all you read there?"

"I should be very sorry if a great deal said against us in them were believed."

"Do you think the Jamaica newspapers are more worthy of credit than the English?"

"No."

"Do you think, when you see advertisements in the English newspapers, they are paid for?"

"I believe they are paid for."

"Is it likely that persons would pay for advertisements with a view to recover slaves that were not lost?"

"I conceive the object of that advertisement was, that any proprietor who had lost a negro might know where to recover him."—
(Vide p. 139.)

Twenty-two more cases are referred to, at page 141, but it is scarcely worth while to make further quotations on this head. The general accuracy of the witness's swearing may be farther inferred, from the following contrast of his evidence respecting Baillie, the slave, who was executed in the rebellion. I have already quoted his statement, that this man was worth six, seven, or eight hundred pounds. (Vide p. 24.) At page 60, this dwindles down to two, three, or four hundred pounds; and by the time we get to page 114, the foundation of all this wild estimate of his slave's wealth, appears to be a casual remark of his daughter, that he was rich enough to buy her, and her mother's freedom, as well as his own, if he pleased!

Such are the loose foundations upon which specific facts are stated, which are designed to cheat the public; and appear already to have beguiled your Grace's colleagues into an abandonment of the last order in council. For shame! for shame!

It is impossible to follow this witness through all his rambling, contradictory statements, without making my analysis yet longer than the evidence itself; but in some instances the audacity of his swearing is such as to demand pointed notice.

"Do you know whether, prior to the year 1831, families were allowed to be sold separately?"

"No; I have always understood, for years back, that families were not allowed to be separated; independent of the feeling of the purchaser not wishing to buy a negro of a family divided, there was understood to be a law against it."

"Are you aware that by the act of 1831 the sale of families separately is altogether prohibited?"

"Yes."

"Are you aware of slaves ever having been obliged to cultivate their provision grounds on Sundays only?"

"Never."

"Are you aware that by the last act Sunday has now become a day of rest by law?"

"It has become a day of rest by law."—(Vide p. 55.)

These are allegations that admit of no discussion; they are only susceptible of one answer; they are absolutely false. The falsity of the last assertion, that Sunday has become a day of rest by law, is admitted at page 120, where he acknowledges that it is still the market day till 11 o'clock in the morning! The falsehood of his statements respecting the separation of families, might have been established with equal facility, by calling upon him to quote the law that forbade it. Why was this obvious course not taken?*. Again; the question is asked at page 120, whether the slave, if absent at the hour of labour on the Monday morning, would be liable to thirty-nine lashes? he promptly and decidedly answers, "not at all." But here he seems to be in different hands; and when pressed for the law of exemption, admits that he "knows of no law," except that all-powerful statute in a slave colony, "the law of humanity"!!! Does your Grace consider that evidence of this description is admissible, even "*quantum valeat*?" I intend to refer only to one more inconsistency. Spell-work is the *pons asinorum* of the colonial witnesses. At page 49, Mr. Baillie states, that each negro "keeps spell during six hours of the night, twice a week."

He also observes, that it would be totally impossible to take off the crop, if they were to stop for breakfast and dinner; having stated in the preceding page, that the process of sugar-boiling *must* be continued during the night." Hence it follows, that during crop, 144 extra hours of labour per week are added by sugar boiling, &c. And upon referring to pages 130 and 131, it will be found that the field labour is not intermitted; the duration of the field labour is mentioned at page 108, to be from ten, to ten hours and a half.

At page 57, the strength of the gang is put at 238; and at page 49, the number of slaves, keeping spell at one time, is stated to be forty-four.

Upon these data, it follows, that during crop, 144 extra hours per week are to be divided among five reliefs of forty-four slaves each, assuming all hands to take their turn: that is, each slave would have thrown upon him, $3\frac{1}{5}$ of 144 hours; or in other words, more than twenty-six hours and a half in the course of six days: *being more than double the limit of labour which he assigns to each slave; and amounting to nearly fifteen hours per diem, during five months of the year!* even calling into service

* Vide hereafter page 176 for further remarks on this head.

the whole effective force of the gang. This statement is as invaluable, as it is incorrect: it at once convicts Baillie of false swearing, and establishes by the oath of a colonial witness, the appalling fact, that slave labour for nearly half the year, amounts under the most favourable circumstances, nearly to fifteen hours per diem; not even taking into the account the time which the slave must necessarily bestow upon his own domestic arrangements; scanty as they are!!! It is indeed dangerous to swear upon matters arising out of Cocker's arithmetic. If it is doubted whether 144 hours of extra labour per week are really added, I can only reply that Mr. Baillie admits that the *field* labour is not intermitted, and as the canes are cut at different ages, and the course of agriculture not uniform, as in England, there is every reason *a priori* to believe that it proceeds as usual during crop. The amount too of labour in crop at which I arrive by this calculation, which is made principally to show the loose swearing of Baillie, falls short of the hours of labour in crop, afterwards stated by another colonial witness, Mr. Shand.

But this is not the only valuable *fact* to be elicited from this witness's hostile examination. What laudable anxiety did we find him display, at page 33, lest the admission of the protector to the negro huts should "lead to practices unfavourable to morals and religion!" And with equal anxiety does he vindicate the planters at page 29, from all "indecent conduct towards females."

"Are the female slaves in general treated by their masters in an indecent manner, either in their punishment or in any other way contrary to their will?"

"*Certainly not.*"

"Are they likely to be more in the power of their masters, quoad licentious attacks, than maid-servants in England?"

"*I think less so.*"

Here, again, this evidence would have been rapturously quoted, had it stood alone, to refute the alleged calumnies of missionary witnesses. O how delightfully "these psalm-singing saints" would have been put down, by such unequivocal testimony! how gladly would the lie direct have been thrown in the teeth of the anti-slavery orators of Exeter Hall! But Mr. Baillie shall have the satisfaction of stating for himself, what are *his* notions of decency and decorum. It is true, they are somewhat peculiar; but they were imbibed in that school of virtue, colonial society.

"Does not much licentious intercourse take place between the white classes and the slave population, whether black or coloured?"

"I do not consider that *there is any licentious connexion between them*, if I may be permitted to put this construction upon it: *white*

people are in the habit of having a woman living with them, and I believe in most instances in the same way as man and wife do in this country,—kept mistresses as they are called; but as to any violation of decency, I have not seen it.”

“Does that take place to a greater extent than in this country?”

“Not half so much.”

“In point of fact, do you not know that almost every overseer, book-keeper, and person in authority, keeps a coloured mistress?”

“Not altogether coloured mistresses; some keep blacks; and I believe the brown population have originated entirely from that connexion. An overseer, carpenter, mason, or other white people of that description, when they get children, have been the means of having them emancipated. Such constitute the bulk of our brown population.”

“Can you mention the names of any among your own acquaintance who do not keep a coloured mistress, or who, if they do, practise such secrecy that it is wholly unknown to you?”

“I should consider myself a very mean character if I was to investigate the conduct of any of my acquaintance, either here or abroad, as to their connexions with women.”

“So far from meaning to ask you to criminate any friend, you are asked to absolve any friend from such criminality, by giving the name of any one who does not.”

“I do not myself.”

The witness is directed to withdraw.

The witness is again called in.

“Can you name any overseer, driver, or other person in authority who does not keep a mistress?”

“I CANNOT.”—(Vide p. 109.)

What must be the witness's notions of English society? where can he have lived during his stay among us? He “never saw any violation of decency, not to half the extent that obtains in this country!” But, when hard pressed, when actually pinned to the wall, after another of those hot conflicts indicated by an order to withdraw, and which, by some unaccountable good luck, always appear to happen most seasonably, when he seems most at a pinch, he comes out with the tardy, reluctant admission that he “knows neither overseer, nor driver, nor other person in authority who does not keep a mistress”!!! Poor indeed is the apology offered, or implied, in the question that soon follows:—

“Can the overseers and drivers procure white women on or near the estate?”

Why, my Lord, there is not a charity school boy so ignorant of the laws of morality, as not to reply at once to such a question, “Then marry the women of colour.” But, oh no! so to purchase a moral reputation with the loss of caste, would suit well the grovelling ideas of a charity school boy; but is inconceivable to the white-skin pride of a Jamaica planter.

We must not quit Mr. Baillie without advising to some little accident, of no telling import, that escape him. At page 137, he innocently says, "There is a gentleman who is to be examined, a planter, a shrewd, clever man;—Mr. Scott, who can give the information." And again, at page 67, when speaking on the question of revenue derived from Jamaica, he significantly remarks, "There would be more competent evidence than I could give upon that subject."

How Mr. Baillie, who professes at page 70 that "he did not expect to be called upon to give evidence," could thus foresee what witnesses were to follow him, and yet more, could foretell what evidence these witnesses were to give, is not very apparent at first sight; but, as other eyes, besides your Grace's, may perchance read these pages, it is fair to assist them by quoting some very curious communications of the witness, as to occurrences outside the door of the committee-room. Mr. Paine, I suspect, will not be very grateful to me for thus putting him almost at issue with his own witness, Mr. Baillie.—(Vide p. 967.)

"At whose request do you come here? You came, you say, from Devonshire?"

"I am now in my way to the West Indies."

"You did not come purposely to give evidence?"

"No. I had no idea that I was to be called here till my arrival in London. I had no notice whatever, *and it was merely chance*. I was about to leave this country for Jamaica, when I was requested to attend here. I stated that I would remain if the *arrival of the packet did not interfere, for I was anxious to go out*."

"Was the first intimation you received of the necessity of your attendance before this committee a summons for your attendance, or was it previously communicated or intimated to you?"

"I had a note from Mr. Markland, stating that I was requested to attend this committee; this was after my arrival in London."

"Have you that note in your possession?"

"I have not; I thought it of no consequence."

"Who is Mr. Markland?"

"He is a gentleman employed, I believe, by the West India interest."

"Is he not agent for the West India merchants' committee?"

"I really do not know exactly in what capacity he acts."

"Do you know that he transacts business for the West India merchants' committee?"

"I should imagine that he does."

"Have you had any communication with any persons at any time relative to your examination here, or to the evidence you were expected to give or that you have given?"

"Certainly not more than common conversation in society, not as to the questions which were likely to be put or had been put to me here."

"Have you had any communication with any persons at any time

relative to your examination here, or to the evidence you were expected to give or that you have given?"

"As the question is put to me distinctly, I will answer in the same way. In the way the question was put to me I did not understand it as I do now. The notice I got was from Mr. Markland, that I should be required to give evidence. Afterwards he transmitted me a paper stating certain questions that I in all probability as a planter would have to answer. That is the communication I have had, and no other."

"Have you had no communication with Mr. Markland since you have been examined?"

"Certainly not."

"Have you communicated with any other persons at any time? and if so, state those persons."

"I have had no communication relative to the proceedings of this committee, conceiving that such were to be considered as private."

"Have you, since your first examination in this room, had conversation with any persons relative to the matters of your examination?"

"Decidedly; it is the general topic of conversation as to what is going on."

"Who were those persons?"

"A great many; for I belong to the West India club, where numerous gentlemen have been very anxious to elicit what is passing in this committee, as to my evidence; it is impossible therefore to say, out of so large an assembly, such as I meet in the evening, besides numerous acquaintances, who they were; I have conversed with planters generally."

"You have spoken with so many persons upon the subject you cannot enumerate them?"

"Decidedly not."

"You have stated that Mr. Markland was not one of those persons?"

"Certainly not; he never comes near the club, to my knowledge."

"You do not mean to state that the conversation to which you have alluded was at the club only?"

"It may have been at the dinner table; I associate with West Indians, and it is natural to suppose that when those questions were started on West India affairs I have given my opinions as well as other gentlemen."

"Have you, or not, within the walls of Parliament, had any communication with any individual upon this subject out of this room?"

"I have, in the committee-room, where we, the witnesses, meet. I met some gentlemen who are there, but I have not entered into a communication on this business. I have met gentlemen transiently there; Mr. Scott and Mr. Burge, who are sitting there now."

"Whom else?"

"I think these are the only two gentlemen now attending."—
(Vide pp. 92, 93.)

Mr. Burge could not be attending to give evidence, for he was not examined till the 28th July, being some weeks afterwards. But to proceed,—

"Have you communicated with any member of this committee?"

"With none whatever to-day, with the exception of Lord Howard de Walden."

"Have you not, since your first examination?"

"I dare say I have, since my first examination, spoken to some members of this committee who are planters and West Indians. I have conversed with those gentlemen in the common way. I have the honour of being acquainted with one or two noblemen of this committee, and have conversed with them very likely on general West India affairs, and given my opinion."

"But nothing relative to your examination?"

"I should think there is hardly a question which a West Indian can speak of which is not connected, more or less, with the question before your Lordships."

"The question refers to the evidence you were to give, or have given?"

"The conversation would, more or less, relate to those questions; it is impossible for a West Indian to carry on a conversation when so mighty a question is before this committee, but that the question will touch upon some subject which has passed, as well as what may hereafter be touched on."

"In speaking of planters or West Indian proprietors, you were alluding to members of this committee?"

"Not at all, generally. I was asked whether I had had communication with planters; I say, among my numerous acquaintance, I have the honour of knowing one or two members of this committee who are proprietors."

"Have you conversed relative to any matters on which you have been examined, or are likely to be examined, with any member of this committee, being a West India proprietor?"

"I have already said decidedly that I have."

"Have the goodness to say when?"

"I cannot say when; this is the fifth time I have had the honour of being before your Lordships, and I have met, at various times, those noble Lords, and have conversed with them as already stated."

"Upon general subjects?"

"Yes, for no express purpose whatever."

"As you cannot say when, can you say with whom?"

"I have had a few words, and very few, with my Lord Seaford; I have had conversation, and very little, with my Lord St. Vincent."

"With any other peer?"

"I think there may have been a few words passed this morning between myself and Lord Howard de Walden."

"Can you inform the committee of the particulars of any of those conversations?"

"They have been general, stating upon what grounds I thought my evidence might be strong."

"Can you favour the committee with an enumeration of any of those points that your evidence might be deemed strong upon?"

"I will. I stated that I thought my evidence might be strong in

proving that I had an increase of negroes upon my estate and those that I was concerned for."

"Any other point?"

"The subject I mentioned to-day I mentioned transiently to Lord Howard de Walden, and said, that I meant to take the liberty of asking your Lordships to permit me to explain upon one subject which I should wish still to explain; it was as to the division of my field of canes, and some other points of that nature."

"Have you had any correspondence whatever with any person relative to what has passed here?"

"Certainly not."—(Vide p. 94.)

"You stated that Mr. Markland had given you a list of questions which would probably be put to you?"

"He did."

"Did he give you any idea as to the nature of the answers he wished you to give?"

"None in the world; and they were such questions that I found that they were not worth looking at, and I never studied them."

"Have those questions been put to you?"

"I found they only led to a number of baby questions; such as, pray, sir, what are you? pray, sir, how long were you in the West Indies? and so on. I threw them on one side."

"Have you seen any other agent but Mr. Markland?"

"I have seen Mr. Burge, but have had no conversation with him upon the business of this committee."

"You mean in the committee-room?"

"Yes; I very seldom met him; he and I are not on intimate terms."—(Vide pp. 95, 96.)

Upon this extra-judicial communication I shall offer no comment. Your Grace and the public will draw your own conclusions. I trust, for your Grace's sake, that they will correspond.

It would be trifling indeed to waste further time in the dissection of such evidence as this. Let Mr. Baillie swear what he will, and he certainly has done all he could for his party, what weight will his evidence carry? A magistrate, and ignorant even of police law!—a planter, and not knowing the legal obligations which the character imposes!—a gentleman, and yet so ignorant of the decency of English society as to contrast it with the purity of a colony where every man keeps his mistress! What could be thought of such a man, even if ignorance and interest alone disqualified him? But when to this is added his self-contradictions, his gross miscalculations, his confessed inaccuracy of language, and admitted confusion *when on oath*, it would be an insult to common sense to suppose that he can be quoted with success. If, however, this should be no bar to the impudence of West Indian advocacy, I can assure any anti-slavery reader who thinks it worth his while, that he may multiply for himself, tenfold, the inconsistencies a few of which I have here

exposed, by following up my dissection of his evidence. Nor are his reasonings less fallacious than his facts. It is as observable of him, as it is indeed of every witness, more especially of Burge, that all that is bad in the system has of *late years* been removed, and that the slave is consequently rapidly improving. But, when pressed on the point of emancipation, all that is bad remains. Then the slave is all ignorance, idleness, and brutality. (Vide pages 116, 138, 144, 152, for argumentative replies of this nature on the part of Mr. Baillie.) But he has not the dexterity of such a man as Burge, to dress up these sophistries with even such a show of plausibility, as to make it worth while to expose them. It will be borne in mind however, that he is a hostile witness, and that, as such, he has admitted the licentiousness, the compulsion, and all the severity of labour, that have been urged against the system. Nor must the acknowledged omission of slave education, and the admission of his industrious acquisition of property, be forgotten as matters of minor importance. In fact, I feel grateful for this witness, not less than for the Duke of Manchester.

The next witness called is

MAJOR-GENERAL SIR JOHN KEANE, K. C. B.,

and I confess that I have not, throughout the whole of the voluminous papers, fallen in with a witness whose tone of evidence has so much tempted me to express myself with unbecoming warmth. This man is a governor too, save the mark! I think that even your Grace, spite of your aristocratic crotchets, will be somewhat astounded by Sir John's ideas of good government! "*I can see nothing amiss in the governor's having authority to do whatever he pleases* ; whatever emanated from the governor of any colony I have ever been in, would be received with the greatest gratification by all"!!! (Vide p. 171.) Why, where on earth has this man been born and bred? Did he ever hold a commission in the Russian service? One can scarcely credit the utterance of such a sentiment, by any who had not himself experienced the knout! "*There is nothing amiss in the governor's having authority to do whatever he pleases*"!!! Most admirable doctrine for a land of slaves! Sure I am, that not a man in England, unless himself a slave-holder, will require further proof of the witness's incompetency.

Nevertheless, I shall submit the *ci-devant* governor to my scales of credibility. But first a word or two on the animus of the witness.

And here, my Lord, I cannot acquit you of having allowed your courtesy to a brother officer, to supersede your chivalry to the oppressed. Did not your Grace owe a protection to the negro? and

some little measure of respect to those feelings of humanity which the country has displayed in his behalf? Yet this same governor, as would appear, unchecked and unproved, speaks of the poor slave in a contemptuous tone of misplaced levity, as a mere "animal"! a something not even forming a part of human creation! "It is very much contrary to the nature of *the animal* to tell the truth." (Vide p. 167.) "He would consider it a free exercise of his own will, which by the *character of the animal*, leads to idleness." (Vide p. 177.) "I do not know; the *nature of the animal* differs so much." (Vide p. 179.) That this disgusting style was not reprov'd, is obvious from its frequent repetition. Yet had I fill'd your chair, my Lord Duke, though for my part I affect no Quixotic character, I would have rebuked such flippant language as it merited; and even had it subjected me in turn to the not less odious appellation of a saint, I would have reminded Sir John that this degraded animal was his Excellency's equal in the sight of God. Aye, *his equal*, spite of the military foppery that declared with affected horror, "I cannot draw a comparison between a soldier and a negro." (Vide p. 181.) Can you not, Sir John? Yet the neighbouring island of St. Domingo could have quoted to you a soldier, a negro, and a slave, all united in one person, whose military fame *you* need not disdain to covet! Toussaint L'Ouverture is a name that will be recorded with admiration and respect, when Sir John Keane's will be forgotten, even in the grateful pages of Jamaica's historians.

I must tell your Grace, in plain English, that an unqualified disgust at the too frequent arrogance and supercilious bearing of high rank, whether noble or military, is no longer confined to the lower or even the middle classes of society: it is rapidly gaining ground. If you, our hereditary legislators, value the stability of your order, take the hint in good part, ere it is too late. To return to Sir John and his evidence: his disposition is sufficiently apparent; but I cannot resist another quotation on this head. He is examined about the conduct of Mr. Bridges.

"Do you recollect none of the particulars? Was there any thing about a turkey?"

"I recollect hearing it was a *very nonsensical thing*, about a person being engaged to dine with him, and its not taking place; a turkey being killed; the person going away; Mr. Bridges felt angry at the turkey being killed, and this punishment took place from that."

"Did he beat the slave?"

"He flogged the slave in the *most cruel manner in the world*."

"A female slave?"

"Yes."

"He being a clergyman?"

"Yes." (Vide pages 173 and 174.)

How truly colonial is this flippant indifference ! England has for years echoed and re-echoed execration and infamy upon the name of Bridges, in reference to this very transaction ! Sir John, coming before your Grace as a colonial commander-in-chief, and a colonial governor, to give colonial evidence in those important characters, speaks of "the most cruel flogging of a female slave" by her reverend owner, as the "most nonsensical thing in the world"!!! Decency, humanity, and religion, are all outraged, and Sir John recollects hearing "it was a very nonsensical thing"!!!

On the point of interest, Sir John is pretty much on a par with the Duke of Manchester ; that is, he disclaims all property in Jamaica ; but he was eight years in the island, hand in glove with the planters, and receiving colonial pay. It is curious that Sir John is no where interrogated as to colonial relatives, or connections ; nor even whether he is a slave proprietor : I do not mean to insinuate that such is the case ; though there were in the year 1825, and perhaps still are, two female slave owners of a similar name : but I am ignorant of Sir John's connexions, and will therefore consent to take him as a witness, no farther disqualified on the score of interest, than by his having received large colonial pay ; but I shall not let him off so easily on other points. Let us examine a little into his knowledge.

"How long have you been acquainted with Jamaica ?"

"Eight years."

"Were you resident during that time in Jamaica ?"

"For the most part."

"What period did those eight years comprise ?"

"From 1823 to 1830."

"What situation were you in in Jamaica ?"

"I commanded the troops for the whole period ; and for about a year and a half I administered the civil government as lieutenant-governor." (Vide p. 163.)

And again,

"The situation you filled during part of the time you were there, probably would have brought to your knowledge any circumstances of complaint of ill treatment, want of provision, clothing, or any other matter constituting a proper ground of complaint."

To this (which your Grace will hardly consider a *leading question*, or of course you would have checked it), Sir John replies,

"Yes, I should think it would if it existed ; but I never have by any accident heard it, nor do I think such a thing could have happened in Jamaica, without my knowing it, for every two or three months, I made a tour of the island." (Vide p. 165.)

All this sounds vastly well ; and he founds little short of a claim to omniscience upon this alleged omnipresence !

But your Grace must be undeceived; and the eyes of the public must be opened to the absurdity of these vast pretensions.

At page 169, he is asked,

"Do you know a body in Jamaica called the council of protection?"

"No, *that is an appointment since I left it*. I think if there was an appointment of that kind made, it has been in Lord Belmore's administration"!!!

What will your Grace now think, when I inform you that this appointment of a council of protection was made by the 34th and 35th clauses of the act of 1826, and had also appeared ten years previously in the 25th and 26th clauses of the act of 1816? What becomes of the omniscient, omnipresent ex-governor's knowledge?

Yet not one in ten thousand, of those who will read this evidence, and probably be carried away by the seeming experience, and high official rank of the witness, will be able to put that experience to the test by such a touchstone as this! and this is the way in which the British public has been cheated by colonial evidence for the best part of a century!

Again, upon cross-examination, the witness himself begins to feel the necessity of taking in a reef.

"Can you form any opinion of the number of hours during the week which a slave would have for sleep in crop time?"

"No; for they relieve one another, as they do on board ship—four hours and four hours—*so I have understood, I never paid that attention to it* which would enable me to speak distinctly to the time."

"Do you think they would have twelve hours out of the twenty-four for themselves?"

"*I cannot positively say.*"

"You know nothing of the interior management of an estate?"

"No further than I have picked up from conversations with those persons (meaning it seems the planters); and I have seen it myself at times." (Vide p. 179.)

What is this but an admission of inexperience, upon that most important branch of slave treatment, spell work? Yet this is the man who has directly sworn, with respect to ill treatment, or any other matter constituting a proper ground of complaint, "he thinks such a thing could not have happened in Jamaica without his knowing it." (Vide p. 165.)

Is his experience better founded upon the subject of education? Let us see.

"You were asked (the question refers to schools) what you had seen?"

"I have visited a school at the Maroon Town, established I believe by the Missionary Society."

"What other school have you visited?"

"None but the schools in the towns; the public school in Kingston."

"Those are the only two schools you have ever visited?"

"They are; but I believe in all the large towns there are schools."

—(Vide p. 176.)

Notice, I pray you, the eagerness of the witness to anticipate the unfavourable inference likely to be drawn from this admission of inexperience. "*But I believe* that in all the large towns there are schools." His knowledge, not his belief, was wanted.

To proceed.

"Can you state how many, or about how many, slaves were in the course of instruction at the school at Kingston, when you visited it?"

"No."

"Can you say there were twenty?"

"There were certainly three or four hundred *children* there; but as to *slaves* I cannot say."

"You cannot undertake to say there was one slave?"

"No, I cannot. I have heard there were slaves there."

"Will you say there was one?"

"No, I CANNOT."—(Vide pages 176, 177.)

And, shortly after,

"Do you know of one who could read?"

"I CANNOT SAY THAT I NOW REMEMBER ONE; I had a coachman who was a slave; and I believe he read, but I never heard him: in explanation I recollect that a slave on Mr. Archdeacon's estate acts as clerk to a chapel on the property."

What will be thought [of this man's competence to give evidence on the subject of education?

Let his experience have been what it might, his opinions upon the subject of indecency are so peculiar, as to make him a very questionable authority on the moral improvement of the slaves.

"You have been in the habit of visiting at the planters' houses; from your experience have you ever known or seen any indecencies committed among the young negresses?"

"No, I cannot say that I have; I have seen them stark naked, washing (washing themselves in the river, as it afterwards appears), but I never saw any indecencies."—(Vide p. 183.)

What would Sir John infer as to the decency of English habits, if he saw a score or two of young women washing themselves, stark naked, in the Serpentine river? A little curious, to be sure it would be, but no indecency; oh no! nothing of the kind. Truly, his notions of indecency, and Mr. Baillie's of licentiousness, tally wonderfully; but then, they are both derived from the same source—colonial purity. And of this both the

one and the other seem to have had ample opportunities of observation, however limited their experience may be upon other subjects of colonial enquiry. And now for a few words upon the gallant general's consistency.

"Had you any means of ascertaining their treatment as to food and clothing, and their dwellings, and the care generally taken of them by their owners?"

"Yes; I should say that their food was wholesome, and of sufficient quantity, as I have always understood from themselves. Each individual negro had a lot of ground, which was called their garden ground; and that, as far as I had an opportunity of seeing, was invariably well stocked with ground-provisions and fruit."—(Vide page 164.)

Yet, within a few lines, he tells us that they are most tenacious and jealous of their rights, even among themselves, *when their provisions are issued, to the last scruple*. And again, at p. 179, "The task-work, which is the heaviest work, they claim as a matter of right, *for they get a larger proportion of victuals*." Now, as he has already told us that the "character of the animal leads to *idleness*" (page 177), and that, if free, they would "indulge in *decided idleness*" (page 166) to such a degree that "they would not maintain either themselves or their children,"—(vide page 178) how is it possible to reconcile all this with their *claiming the heaviest work*, as a matter of right, in order to secure a *larger proportion* of victuals; eyeing each other in the division of their food with all the jealousy of hunger, though, at the same time, their provisions are abundant, and their gardens amply stocked? One of these three averments must necessarily be untrue. To proceed.

"Did you observe any improvement in the moral state and condition of the negroes during the time you resided in Jamaica?"

"Yes."

"In what respects?"

"There were great pains taken by the several proprietors, and on the properties I went to, in the instruction of the rising generation; their treatment was very mild, and very different from what I understood it was in former days."

"Did that appear to produce any amelioration in the condition of the adult negroes?"

"Certainly; it appeared to me so."

"Do you consider that the amelioration of the slave population is in a progressive state of advancement?"

"*Most certainly*."

"Did you find, in the course of your residence in Jamaica, any impediment towards the improvement of the negroes, either in moral or religious instruction, conferred [?] by the owners of estates?"

"No, in no instance did I ever see it, or hear of such a thing."—
(Vide page 165.)

And, at page 166, the examination on this subject is resumed.

"Did you perceive, during your residence in Jamaica, any progressive improvement in the habits of the slave?"

"Yes; the junior classes particularly."

"With respect to their moral feelings?"

"Yes; they became excessively enlightened; many of them could read and write; many of them understand their catechism."

"You observed an improvement in their moral habits?"

"Yes, very much."

Mark the positive decision of this language. Yet, we have already seen that, in another place, he admits having visited but two schools, and being unable of his own knowledge to say that *even these two were attended by a single slave*. He twice repeats that he *knows not a slave who could read*, except his own coachman, and another belonging to Mr. Archdeacon.—(Vide above, p. 64.) So much for their instruction. Now as to their "excessive enlightenment," and "progressive improvement in habits."

"With respect to veracity, did you observe any thing particular?"

"I have always observed that it is very much contrary to the nature of the animal to tell the truth."

"In that respect is there an improvement?"

"There, I should say, certainly not; they are very subtle, and they do not conceive it perhaps a sin; but it is invariably the case, they do not stick at deceiving."

A little farther on,

"Have you observed any improvement in honesty of late?"

"No; generally speaking, the servants of that country, who have been brought up as servants, are honest; but the general character of the negro is not that."

Once more,

"In respect to other moral habits, licentious intercourse among themselves,—are the slaves improved in that respect?"

"That I cannot exactly say; I believe *they indulge in the same habits they have done for years*; indeed I should say *they do*. Of late years they have married more, generally speaking, than they used to do."—(Vide p. 167.)

Where have they left their improvement, Sir John? They lie as much as ever, and think it no sin; they are practised thieves, but consider it no stealing; and they marry a little oftener, but remain as licentious as ever!!! This is improvement with a vengeance. This is really, to a plain man, the most Irish advance in morality that could be suggested. And what does your Grace think, by this time, of military testimony? I might follow up the charge of inconsistency in many cases, as for instance

the slaves were "very ready in making known their grievances." How he could discover this, when "he never, by any accident, heard of any ground of complaint" (page 165), is past my ingenuity to comprehend.

But, to extend my quotations would only weaken the effect of those already made. Here therefore, I will leave Sir John, in the downy bed which I have prepared for him—or, rather, which he has made for himself; for I have only shaken up the feathers.

But, notwithstanding the general rule I have laid down, to set at naught all colonial logic, and all colonial opinions, as wholly irrelevant to the issue, there is something so irresistibly amusing in the reasoning of Sir John, under the Socratic examination (of Lord Suffield as I suspect), that I cannot refrain from quoting it.

"By what inducements are the slaves made to work now?"

"By usage, and by the custom of the country for years; from their infancy that which they do is common to them."

"You mean to state that their inducement is custom?"

"That is all I understand; *they are brought up to it*, and have been ever since slavery was legalized."

"Is not it strange that they should upon some sudden occasion depart from that custom because they were made free? If custom has so strong an influence upon the negro now, can you assign any reason why that which is so strong in its influence should cease to have its influence if they are emancipated?"

"Judging from the character of the negro to be akin to that of the maroons, who are free, is the ground on which I form that opinion, that if the present race were free they would do the same as the maroons do, which is just nothing."

"Can you assign any reason but custom for the severe work they do at present?"

"I do not call it severe."

"You are aware, of course, that slaves receive no wages from their masters?"

"They know very well that they are the property of their masters. They work for their own protection and for their existence, and are well taken care of, are well fed, and are little worked, I will be bold to maintain; and they are in sickness and in health taken care of, and are well clad; *and what more can they expect?* These points have come under my own observation."

"There is a power over them?"

"Yes."

"Are they not influenced by a still stronger motive, in your opinion, namely, the fear of corporal punishment?"

"I have never asked them what motive they had; but it is an obligation; it is the same as in every condition. The soldier serves under a moral compact"!!!

"As an experienced officer, you are asked, is it competent to any—

officer or person in command in the army to inflict lashes on the bare back of a soldier on his own single authority?"

"I never heard that that was ever done."

"You know that is the case with a slave; that he is liable to such punishment at the arbitrary will even of his driver?"

"That is sanctioned, *I suppose, by the law of the land, over which I never had any control.*"

"Do you believe that that is the fact?"

"*I believe that it is the fact.*"

"You know that a soldier is not liable to the same corporal punishment?"

"No, he is not."

"The two cases therefore admit of no comparison?"

"No; it can be done towards the one, not towards the other; but that of course is the law."

"Is the soldier represented by you as obeying the orders given him from fear of corporal punishment?"

"Certainly not; corporal punishment never enters into a man's head, I should conceive."

"From your observation, do you consider that the negro was as much led on to his work by the habit of work, and the habit of obedience, as by the fear of punishment?"

"*And a wish to serve his owner.*"

"By the three; by the habit of work, by the habit of obedience, and his wish to serve his owner?"

"Yes; *as to punishment I would not answer for that at all; I have seen it done without.*"

"He is aware he would be punished if he did not do that which he ought?"

"Yes; *he is aware that he would be punished if he did not do that which it was his duty to do.*"

"The soldier is aware that if he disobeys his orders he is in danger of being punished for his disobedience?"

"Yes."

"Do you mean immediate and arbitrary corporal punishment?"

"No; there is no such thing authorised; a man may be sent to drill, or may be confined to the barrack."

"You have stated that the negroes were subjected to punishment in the field by the arbitrary will of the driver; what do you mean by the word arbitrary?"

"Flogging, as I have always understood; I never had the charge of a property myself, *but I have always understood that they might be flogged.*"—(Vide pp. 174, 175.)

Was there ever such a farrago of nonsense? The gallant officer was resolved to admit nothing in favour of emancipation, or, to quote his own elegant phraseology, at page 180, "I have formed that opinion, and I *still stick to it*, that I do not think they would work if they were free." But he is so cruelly pressed to account for their hard work at present, and yet recon-

cite it with their being such idle fellows, that he stumbles upon the most whimsical combination of motives, that ever entered the head of a metaphysician in unravelling a complex idea. First, the slaves work "by usage;" then, by "the custom of the country;" then, "by education;" next, "for their own protection;" after that, by "an obligation, the same as in every condition" (!!) We have not yet got to the end of it; he next recognises the fear of punishment; then, *credat Judæus!* "a wish to serve his owner" is the stimulus. But gratitude alone it seems, will not do; so he combines it with "a habit of work," and "a habit of obedience;" and lastly, comes out the honest truth, with as much reluctance as if my Lord Suffield had been extracting his tooth, that "he always understood that they might be flogged." Let me entreat your Grace to note this down in your common-place book. Angelo himself never practised with more anxiety the art of self-defence, though his parries are rather more successful. Yet I doubt not that this gallant officer is looked up to as a high authority in his own snug little circle. "I do assure you that it is all delusion; the slaves are the happiest creatures on earth. Sir John Keane told me so himself." "Indeed," says another, "the poor wretches would starve if they were set free. I had it from his ex-excellency's own lips." "Aye," adds a third, "and I heard his excellency swear, that the animals are so addicted to lying, thieving, idleness, and debauchery, that they would starve themselves, and their children too, rather than work"!!

Your Grace well knows that this is conclusive!—every word would pass for gospel with nineteen out of twenty. Your Grace knows more; that such was the *intended purpose of appointing your committee, and calling witnesses like this man before it.* And will you condescend to aid the paltry stratagem, intended to prolong the bondage of the negro for a century to come?

I think that I have proved the testimony of Sir John to be entitled to about equal weight with those who have gone before him; and his opinions if possible, to less. But, from Sir John, as well as from them, some most important points, favourable to anti-slavery views, are obtained. He admits, at page 167, that valuable trait in the negro character, his attention to his offspring; and at page 168, he repeats that they appear fond of their children. At page 178, he again repeats it, and in a manner that evinces his reluctance. "*I acknowledge, they are fond of their children.*" Thus then, is conceded one of the strongest motives to industry after emancipation, that can exist. The quotation too, which I have given of the gallant officer's inimitable logic, is not less valuable for its admissions, than it is amusing

in its absurdity. It is there acknowledged throughout that the slaves do work, and frequently from the most laudable motives.

There are other concessions too, which, directly opposed as they are to the statements of colonial witnesses, as well as to the spirit of Sir John's glowing picture of Arcadian cheerfulness, are of no trifling importance. The habitual coercion by arbitrary punishment,—the universal ignorance of the slaves,—their slow progress in moral perception,—and the successful *concealment* of cruelty and oppression (for I do not believe that Sir John, with all his inconsistency, would deny the existence of what he had seen, though he has the simplicity to suppose that none could have existed, which he did not see!)—these are the grievances which the abolitionists have been all along endeavouring to remove; and which, with equal pertinacity, the West Indians have asserted do not exist. Yet here they are admitted *in limine* by their own witness!

Your Grace will not yet have forgotten, how prominently the comparative numbers of Africans and Creoles have been brought forward in discussion. I am not going to anticipate the remarks which I propose to offer hereafter, upon the decrease of the slave population; but this seems a convenient place to introduce the very decided testimony of Sir John Keane upon this point.

"Have you observed any difference between the African and the Creole in habits of industry?"

"No, I cannot say that I have; there are *very few* remaining Africans *now in Jamaica*, and what there are, are generally very old people, and of course have an easier task: in short they are put to the easiest work; there are some estates *that have five or six hundred negroes, on which there is not a single African remaining among them*; at least I believe so—one certainly, Orange Valley, belonging to Mr. Garnett."—(Vide p. 166).

I have some doubt whether there is not an error in the press here; I know of no proprietor of the name of Garnett—there is an estate called Orange Valley, in the parish of Trelawny, containing nearly 700 slaves, of which the proprietor is Mr. Jarrett; I suspect this to be the party meant, and the rather because I know of but one other estate by the name of Orange Valley. I mention this, lest, when the importance of the statement is felt, the error should be quoted, to show the inaccuracy of the witness. The other estate to which I allude, is in the parish of St. Anne, and belongs, or did belong, to the very dissimilar name of Blagrove; it only contains between 400 and 450 slaves.

Before I go to the next witness, I must refer to a question which exposes ignorance in other parties besides Sir John.

"The maroons were the *aborigines*?"!!!

"*They may be*; they are of all colours."!!!—(Vide p. 167).

The maroons the *aborigines* of Jamaica!!!

Yet on such knowledge, depend the present and the eternal welfare of a million of our fellow creatures and fellow subjects!!!

MR. SHAND

is a planter of thirty-two years' experience; he was concerned, as he states at page 183, at one time for upwards of a hundred properties of different descriptions, including upwards of sixty sugar estates: he is himself too one of the largest slave proprietors, having not less than 1400 slaves. Surely his testimony should at once have been rejected! And here I will make an observation which should have been earlier introduced. I conceive that it would have fallen within your Grace's province, at once to examine every man on the *voir dire*, and upon his admission of an existing pecuniary interest, to have protested against his further examination. In this point, as in others, either the peculiarity of the enquiry, or the situation of the parties to it, seems to be forgotten. A pecuniary interest, however remote, disables a witness. Such is the maxim of our courts; for the law is officiously tender of the conscience of man! Nobody will deny that to the slave, this enquiry is in its immediate consequences highly penal, even to the loss of liberty, if not of life: or that, on the other hand, the whole controversy on the colonial side, is only regarded as a question of pecuniary interest. Then before a British tribunal, the maxim of British jurisprudence should interpose, and disqualify the planter as a witness. It is now too late, and the only compensation you can make to the slave for this want of fair play, is should you be re-appointed also to examine him! To ensure his testimony being given, unrestrained by fear, pass a short bill to emancipate every witness, and pay his passage out and home again. It is wonderfully easy to evade a difficulty, or by a scornful smile or a low jest, to shuffle aside a sound suggestion; but even were it only to give a colour of fairness to your proceedings, such should be the course pursued.

In estimating the evidence of Mr. Shand, your Grace will probably find an opportunity of satisfying yourself that this witness would fairly have come within my principle of exclusion. I believe, Sir, that had the West Indian committee, aided as he admits, by Mr. Burge, searched through the colonies from one end to the other, they could not have found a witness apparently more to their mind than Mr. Shand: thirty-two years of experience, manager of a hundred estates, and owner of 1400 slaves! What was to be expected from such a man, but a bigoted devotion to the colonial system, that would qualify him to give any evidence that might be satisfactory to the public on the pro-slavery side?

Nothing was further from Mr. Shand's imagination, while giving his evidence, than satisfying your committee: doubtless

he knew that more than half of them, and nine-tenths of those who habitually attended, were quite satisfied already; he therefore very judiciously played a deeper game.

"In crop time do you consider that the slave is particularly well off?"

"I conceive that my answer *must* be given explanatory; not yes, or no; my evidence will as a matter of course be reported to the house, and *appear before the public*, and I wish it to be as explicit as possible." (Vide p. 241.)

An admirable reason truly, for not answering yes, or no!!! But Mr. Shand seems determined that "there should be no mistake" as to his feelings, and in the following page (242), he repeats, "if I were to answer without explaining, it *might appear very strange to any person reading my evidence*"!!!

This is speaking out, though I somewhat doubt if his colonial friends will feel obliged to him. I have no aristocratic pretensions, my Lord Duke; I am partial now and then to vulgar phrasology. Do not Mr. Shand's answers appear to your Grace something like "letting the cat out of the bag?" However, it shall not be my fault if Mr. Shand does not "read well." The public shall not blame me at all events, if he is not as "explicit as possible." Before I weigh him in my scales, let us see whether he *can* give a plain answer to a plain question.

"You stated that the slaves were at all times well fed and well taken care of, but that especially in crop time they looked more sleek and fat?"

"I should say the best means of judging whether the negro is fed sufficiently, is by his appearance, and contrasting this with that of the population of any other country. No population in Europe that I have seen are so sleek and fat, nor so contented, as the slaves were until of late, for the reasons already given."

"Have you not stated that in crop time the slaves were particularly healthy and in good condition?"

"They are extremely fond of the juice of the cane; in every shape they take it in quantities; and we all know that there is not any thing in nature *môre* nutritious than sugar."

"Do you consider that in crop time they are or are not particularly in a healthy and flourishing condition?"

"It is usually the most healthy season of the year, and their occupation is very healthy."

"In crop time do you consider that the slave is particularly well off?"

"I conceive that my answer *must* be given explanatory; not yes, or no. My evidence will, as a matter of course, be reported to the house, and appear before the public, and *I wish it to be as explicit as possible*."—(Vide pp. 240, 241).

Here is a question repeated four times, and no answer is given!

Observe the replies attentively, and your Grace will perceive that in no one instance does Mr. Shand meet the question: the reason is very plain; if the slaves look more sleek and fat in crop time, it too clearly implies that they are half starved during the other seven months. How could Lord Suffield be so ill natured as to press it? Instances of this evasive style might easily be multiplied. (Vide answers to the 6th, 7th, and 8th questions at page 237.) But one specimen is enough.

Mr. Shand is evasive in common with all the colonial witnesses; but he indulges more freely even than they do in all the sophisms of his party. When it is convenient, negroes have horses, and cattle, and other considerable property, all the fruits of their cheerful industry. (Vide pages 188 and 189.) And yet when convenient, they are "naturally very indolent" (page 205), and "discontented." (page 233.) When it is applicable to the immediate argument, the allowances of clothing prescribed by the order in council are superfluous. (page 234.) But if required to prove the benefits derived from the owner's indulgences of time, "a good negro never depends upon his master's clothing." (page 194.) And thus it is throughout—Talk of emancipation! the emancipated slave will starve rather than work! Speak of coercion! he works without it sixteen hours a day." (Vide p. 227.) Allude to his degradation! his moral improvement has been great. (Vide p. 187.) Then is he fit for liberty? the very prospect makes him discontented. (Vide p. 201.) Quotation is injustice to the man: every page of his examination speaks volumes for the ingenuity of his shifting. "He staggers to and fro like a drunken nian;" but in one point he is distinguished above all; he decries the industry of the slave, while he admits that during crop they work sixteen hours out of the twenty-four; and that out of crop they are so diligent in the cultivation of their own ground, as to acquire considerable property. Yet from first to last, his apprehension appears to be, lest their labour should be *diminished*! At p. 202, he says, "if a slave is to work *only* a certain number of hours per day, and to perform less duty in consequence of being excited to discontent, the master cannot possibly have means: the manufacturer, whose labourers are limited in their time, and in the proportion of work to be performed, cannot prepare and send his commodity into the market, on the same terms with his neighbour, who is left more at liberty, and obtains a greater portion of labour for a specific sum, and in due season;" thus assuming as a matter of course, that the labourer is to be sacrificed for the master—this being the only point in dispute!! And a few lines after, in answer to a question, "What would be the effect of reducing the hours of work in crop time?" he says, "It would be extremely prejudicial." Again, at page 207, after enumerating thirty days allowed to the slave in addition to the Sundays, it is observed to

him, that "at all events it is but a small proportion of the year, during which, the slave has an opportunity of labouring for his own benefit:" to which he answers, with the naïveté of a school-boy, not yet initiated in the elements of arithmetic, "*I should say it is a very great proportion of the year!*" At page 215, notwithstanding his previous admissions of the continuous nature of their work, and his apprehension of its being diminished, he adds, "they do not suffer from the labour they perform; *they perform nothing like labour.*" And at page 223, he repeats, "*I do not admit that he performs any thing in the shape of labour;* more punishment is requisite than if the negroes were not excited to discontent, and the master forced to give that which he cannot afford to give him, while he is not permitted to exact that portion of labour requisite to enable him to furnish his negro with necessaries and comforts." And what are "the necessaries and comforts" which this indulgent master now provides? To no less do they amount even at his extreme calculation than the enormous sum of £2. 4s. 6d. per slave per annum!!!

I ask your Grace if this is not an impudent attempt to insult the understanding of your committee, and through your committee, as he avows, the British public: sixteen hours labour per diem, for five months of the year, and ten hours per diem for the remainder, "*to be comforted*" by the lavish expenditure of forty-five shillings per annum!!! This is the liberality! this is the tender heartedness of a West Indian planter! this is the system of which he deprecates a change! this is the beneficence of which he makes a brag to the British community! Well might this man expect to gain credit for "kindness and tenderness" to two unfortunate females, whose bondage he had for a time suspended, in bringing them to England, by stating as *the wages* they had received while here, that "his wife had sent various articles of dress in the name of his daughter"!!! (Vide p. 199.)

Now then, let me weigh Mr. Shand in my scales of credibility. I have already spoken largely as to his personal interest—I proceed to his knowledge.

It might well be supposed that a planter who could boast of thirty-two years residence in a colony, and of the possession of 1400 slaves, who had also been a member of the House of Assembly, would not be deficient in practical knowledge: still more, that a man, so jealous of the relaxation of slave labour, could state with certainty what was its limit. Your Grace shall see:

"What are the hours of labour for the slaves?"

"*I think they are fixed in Jamaica, from sun rise to sun down.*"

"Of that portion of time how much has the negro given him for his meals or for recreation?"

"*I think an hour for breakfast, and two hours for dinner—but I*

cannot recollect perfectly : I believe it is fixed by law, to which I beg to refer," &c.—(Vide p. 197.)

But he will surely understand the premiums offered for an increase of stock, as well as a Bedfordshire farmer.

"To whom is the allowance made in case of an increase of population?"

"It is distributed between the mother and the midwife."

"Does the law give it to the mother or to the overseer of the estate?"

"I do not know what the law is at present. I think at one time the overseer had a premium, but it was not considered to have any material effect, and that the manager would do his duty without this, gratuity as well as with it. I cannot speak to the point of fact."—(Vide p. 199.)

Your Grace may perchance suppose, that some excuse is to be found for this defective memory, as to legal provisions; though, indeed, it was into the slaves' legal situation that your Committee was specially appointed to enquire; and on *this point only* that evidence was strictly admissible. Let us see, then, if the witness has a more lively recollection of a fact, that ought to consist with his personal knowledge. He is asked in the same page—

"Have your negroes increased?"

He answers :—

"I cannot say positively whether they have increased or decreased since I left Jamaica," &c. !!!

Let me observe in passing, what a stringent answer this furnishes to the deceitful argument, that it is the planter's interest to promote the increase of his slaves. This witness has left his estates for more than six years; he avows that he has had thirty-two years' experience of the system; he is morally responsible for the welfare of not less than fourteen hundred of these unfortunate individuals; and yet so little is he affected on this point, either by interest or moral responsibility, that he knows not whether, for six years past, they have increased or decreased! How is my Lord Holland, how is my Lord Seaford, how is his Grace of Buckingham to answer for the well-being, or even for the lives of their respective shares in these human cattle, when a brother planter so conversant in the system, so personally experienced in its details, avows himself unable to give an answer to this important question?

To return to Mr. Shand; he is as much at a loss about the legal limit of flogging, as of labour.

"In what way were the slaves punished?"

"Generally by a certain number of lashes."

"Do you remember how many they received?"

"No; but they could not exceed a certain number by law."

"Do you recollect what that number was?"

"No I do not recollect what that number was—the number for many years was 39 lashes, *what it has been for some years back I do not know.*"—(Vide p. 200.)

Once more: he is interrogated on the subject of spell work:

"The negroes are divided into spells:—into how many spells do you divide the negroes, where there are 170, on the estate you refer to?"

"I do not know."—(Vide p. 214.)

He is of course most anxious to repel the disadvantageous comparison of uncompensated slave labour, with the remunerated exertion of our manufacturers.

"Do you know any instance of slaves receiving wages, for their work in the boiling-house in the West Indies?"

"No; but the slave has many advantages beyond what the poor weaver has in my neighbourhood at this moment."

"Are not these advantages optional with the master?"

"No: he has many *legal advantages*, which the master cannot withhold; and the indulgence of the master goes *much beyond the law.*"

"What are the advantages that he cannot withhold?"

"I cannot enumerate them; I must beg leave to refer your Lordships to the law; I am not acquainted with the last slave law; but I will say this, that slaves on every estate for which I acted in Jamaica, received more clothing than the law obliged the owners to give."—(Vide p. 229.)

My exposure of his ignorance is not yet finished.

"You were never present for any length of time together watching the negroes at work?"

"No; I did not watch them at work."

And, shortly after,

"You admit that the whip was used as a means of compelling labour at a certain period: at what period was that? state the latest according to the best of your recollection; was it in the year 1820 for instance?"

"I CANNOT SAY; I was not in the habit of following negroes in the field, or looking at them for many years before I left the island."

"For how many years?"

"I suppose 20; I was not in the habit of attending to negroes in the field."

Well, indeed, might Mr. Taylor say, that the interior of a plantation "was a sealed book"!—Yet, here is this 32 years' planter, who avows that he knows not the legal hours of slave labour, that he is ignorant of the distribution of premiums on child birth, or even of the increase or decrease of his own slaves, who cannot state the limit of legal punishment, who cannot

define the "legal advantages" which he swears that his slaves enjoy, and who, for 20 years, has had no opportunity of observing the discipline of field labour, thrust forward as a man of unquestionable experience, to give us authentic information, and to stop our mouths with his crude nonsense about colonial statistics!!!

Will this satisfy the public, my Lord Duke?

To expose the inconsistencies of such witnesses is superfluous. An ignorant man is never consistent in his opinions; and a witness who must needs play the part of an advocate also, is always self-contradictory in his facts. In pursuance of my plan however, I must subject Mr. Shand to the test of consistency.

"What is your opinion as to the protection afforded to the slaves by the laws of Jamaica?"

"I believe that the slaves, considering their situation, were sufficiently protected by the laws—that in many respects they were indulged much beyond what the law required of the proprietor or manager."

"What is your opinion as to the comforts afforded them in their situation?"

"Their comforts I consider to be very great, and much more than the peasantry of this country of the lower class can possibly obtain."—(Vide p. 187.)

These answers imply, that the proprietor indulges them beyond the law, and affords them greater comforts than our peasantry; as he has sworn above that he did himself in the article of clothing. (Vide above, p. 76.) Now let us turn to page 217, and see the value of these "comforts."

"Will those invoices show any account of bedding?"

"No; *nothing for the specific purpose of bedding.*"

"As you say these would be supplied if necessary, you probably mean in peculiar cases of sickness?"

"*They are not ordinarily supplied; no negro of any industry relies upon his master's clothing, or his master's allowance!!!* He has means of obtaining many things, much beyond what the master gives him."

And, a little after,

"The one suit of clothing given to the slave lasts him twelve months?"

"*They would not give him one suit of clothing: nor would I say it lasts them a twelvemonth; for the negro is not dependent on his master; he has means of obtaining comforts of his own.*"

"If they have no bedding, what covering can they have of any description, but the one suit of clothes given them in the year?"

"The negro is not dependent on his master; *he has many comforts independent of those his master gives.*"

Compare this again with the following extract from an answer

at page 202, to a question referring to the situation of the negro, should the distress of his owner be increased:—

“The master cannot possibly furnish him with the *necessaries and comforts* he at present allows.”

Compare it also with the following extract from an answer at page 209, referring to the comparative earnings of a slave and a freeman.

“*He has an allowance of clothing; his tools are furnished; his house is built and repaired for him; he is allowed a variety of comforts.*”

Which of these representations are we to believe? Is the slave afforded “very great comforts,” and again, “a variety of comforts,” by his master, or is he denied even “bedding,” and “clothing, and other allowances,” adequate to his wants, so entirely, that no negro of industry relies upon such a resource? as is admitted at page 217. Both these statements cannot by possibility be true; though each in turn satisfied the question which gave rise to it.

At page 189, he is asked,

“Do any of the slaves become possessed of money?”

“Very considerable; *they have very great means of accumulating money, if they are industrious.* In some cases the negroes have slaves; and in one instance I recollect a family who have eleven slaves of their own.”

I have a severe reckoning with Mr. Shand upon this score, of which he little dreams; but leaving this strange imperium in imperio for the present, let us turn to page 205, where he says, “The negro is naturally *very indolent; the great bulk of the negroes; there are exceptions, no doubt.*” And now let us revert to my former quotation from page 217, where he states, “No negro of any industry relies upon his master’s clothing, or his master’s allowance.”

Which of these statements, I again ask, are we to credit? Are the “great bulk of the negroes naturally very indolent, and are the means of “accumulating money” confined to “the industrious?” then it must follow that those who have “accumulated money” are rare exceptions; and that “the great bulk of the negroes being indolent,” and therefore poor, do rely on that scanty measure of their “masters’ clothing and allowance,” which the industrious slave disdains! These conclusions, though unavoidable, are directly opposed to Mr. Shand’s assertions of the superiority of the slaves’ condition to that of our own peasantry.

Take another instance, on a different subject. He states, at page 189, that a slave of his own possessed three slaves for upwards of twenty years; and he is asked,

"Did he receive the profit of their labour?"

"*Certainly; these are two instances out of a great many.*"

At page 192, however, when the question is put,

"Does the slave employ his own slave in the cultivation of his provision-grounds?"

He answers,

"Generally I believe in that way; in the instance of my own negro, to which I alluded, *I never put a question to him about his slaves, nor would I have known if I had met them.*"

And in the following page he adds,

"How far he allowed them to dispose of the provisions that they reared for themselves, *I do not know.*"

How could he speak, then, so "*certainly*" as to the appropriation of the profits of these slaves? He never questioned their alleged owner upon the subject; he did not know the men themselves; and he admits his ignorance how they disposed of the provisions they reared, the only acknowledged source of a slave's emolument. Yet he swears he is "*certain*" that the profit of their labour was received by their alleged slave-owner!!

Again, at page 191, appear the following questions:—

"You said that the negroes on a particular estate had the run over 4000 or 5000 acres; had the negroes the choice of any spot they pleased?"

"*Any part that they chose; no one interferes with them.*"

"And to any extent they choose?"

"Yes, and to any extent."

And, as if to fix the witness's attention,

"Is it understood that they may fix on any plot of ground for cultivation?"

"*Yes, any part that they choose; and cultivate it as long as they are inclined.*"

But afterwards, at page 192, the question is again repeated,

"You say that the slave is permitted to cultivate for his own use as much land as he pleases?"

"Yes, in many instances; *not in all situations.*" (!!!)

Once more.

"When negroes are for sale, is it usual to allow them to look out for their own master?"

"*Very frequently, in the case of one negro or a small number of negroes.*"—(Vide page 195.)

Turn to page 218, however, where he is requested to state a particular case. He replies,

"*I cannot state a particular instance; but I have known instances, though I cannot recollect them specifically, where the negro*

has desired to belong to a particular individual, and it was complied with, *if the master did not suffer by the arrangement.*"

Thus the first statement, which was intended to convey the impression that this choice of service was an indulgence very frequently permitted, is afterwards, on cross-examination, reduced to cases so few that he *cannot recollect any particular instance*, nor *any* instance whatever, except subject to a consideration of the owner's interest.

When it is remembered that these statements are given upon oath, and when too the pro-slavery leaning of the answers first given on the *examination in chief by the colonial peers*, is borne in mind, it will be readily admitted that these variations, though upon minor points, detract materially from the value of the evidence.

On the subject of education, he shares the inconsistency of nearly all the witnesses that preceded him.

"Have any measures been adopted for the religious and moral instruction of the slaves on your estates, or other properties which have been under your charge?"

"Yes; I have for a number of years paid £100 a year to the curate of Clarendon for attending to two properties; on *all* the properties means are taken to instruct the negroes to a certain extent," &c.
--(Vide p. 200.)

But, at page 204,

"Do you know any instance of field negroes being able to read and write?"

"No, I do not recollect any; they are not very desirous of doing so in general!"

Yet again,

"Did many of the negroes upon the estates more immediately under your care, often run away from the properties?"

"Yes; there were *many* instances of individual negroes absenting themselves."

"As compared to the population, do you mean?"

"I cannot draw a comparison; they *VERY OFTEN* run away without occasion."—(Vide p. 188.)

Now contrast this with a subsequent answer.

"To what cause do you attribute the strong disposition to run away?"

"*I do not think there is a strong disposition to run away*"!—(Vide page 208.)

Which of these two answers are we to believe? I will extract a few more similar instances.

"How are slaves identified by their masters commonly; have they any marks?"

"There are no instances I believe of slaves being marked since Africans ceased to be imported."—(Vide p. 210.)

Your Grace will recollect the many instances formerly quoted from page 139, of young slaves, born many years after the abolition of the trade, being advertised in the Jamaica Gazette, and described by the marks of branding upon them: but are we to believe the Gazette in preference to Mr. Shand?

Without troubling you with the questions and answers at length, I would refer your Grace to page 213, where the witness states that he has very little knowledge of the "state of manufactories," but still seeks to found on that knowledge a disadvantageous contrast of the hours of labour in them, with slave labour.

At pages 227 and 228, however he assumes an intimate acquaintance with sugar-refining, and melting, and smelting ore," and claims a "good deal of practical knowledge in such matters."

And again, at page 197, he gives a learned disquisition upon the subject of labour, as paid and performed in England and Scotland, to show that more is done in this country than in Jamaica. But, at page 213, the foundation of all this learning is admitted to be only a six months' residence in England!

These, and many similar contradictory averments, admit but of one explanation, and that I will give in his own words, when challenged with inconsistency even by the Committee:—

"I DO NOT NOW RECOLLECT PERFECTLY HOW I EXPRESSED MYSELF, BUT INTENDED TO EXPRESS MYSELF AS I HAVE DONE AT PRESENT"!!!

This is extremely convenient, indeed! Such an ample apology for incautious swearing, forbids all further remark. I take leave of Mr. Shand's inconsistency, but not of Mr. Shand.

Your Grace need not be reminded of the extraordinary information, already quoted from page 189, that a slave of Lord Holland's possessed eleven slaves, and one of Mr. Shand's possessed three for twenty years. With respect to the first case, I only allude to it for the purpose of explaining exactly how the fact stands. It is greatly exaggerated, but founded in truth.

One of his Lordship's slaves is married to a *free* woman, and *she* is the owner, not of eleven, but of two. For the truth of this explanation I refer your Grace to Lord Holland himself, who *ought* to be accurately informed. But Mr. Shand, by his own admission, stands in a dilemma from which Lord Holland is free. How did it happen that this experienced planter winked, for twenty years, at the detention in slavery of three men, who were, and are free, in point of law? Mr. Shand admits that his slave could assert "no legal title to them;" and, more than that, he states that he assisted in fabricating a colourable title by registering them as his own property. That I may not, even unintentionally, be guilty of misrepresentation, I will quote his own words at page 189:—

"I was not acquainted with this fact, of slaves possessed of slaves, till the registration act took place; when it became necessary to return all slaves, at that time* the law not sanctioning their possessing slaves (there was no notice taken of it, I believe, in the law); such slaves were returned as the property of the master, and entries were made in the plantation books, signed, I believe, by myself, signifying that although these slaves were returned in the name of the master, they belonged to particular slaves"!!!!!!

I never, in the course of my existence, heard such an unblushing avowal as this—made, too, in the presence of a Committee of the House of Lords, magistrates of the country! Was not your Grace startled at hearing it? Did no noble peer feel it to be his imperative duty, before the day was ended, to notice it in his place? I trust that when Parliament meets again, some independent man will take this subject up most seriously. Here are three poor creatures *illegally detained in slavery for twenty years*, and their detention acknowledged to have been assisted by a fraud in their registration; and the man who has committed that fraud, has the effrontery to avow it to your Lordships, and to found upon it an argument in favour of his own slaves' prosperity! Your Grace may be assured that England will ring with this. My present duty is with the evidence, but I shall not forget it.

There are some miscellaneous remarks upon parts of this man's evidence which I must not omit, although I believe it will be generally felt that I have pretty well disposed of him. The first is, that he also mentions the same fact as Sir John Keane, that the chief part of the population are creoles; thus giving a point-blank contradiction to all the ingenious attempts to explain away Mr. Buxton's "decrease of population," by the excess of Africans past child-bearing age. This admission of Mr. Shand will be found at page 200, and it is indirectly repeated at page 204.

Another very curious statement of Mr. Shand refers to the facility with which a slave can support himself:—

"I would say the labour of a slave on an average for one day is sufficient to give him provisions for the whole year."

This will be found at page 206, and is repeated at 207, and again at 208. Here, then, is a conclusive answer to another very absurd argument founded on the slave's assumed idleness, that if emancipated he will not maintain himself.

Much of the examination on this point is so perplexing to the witness, and so well conducted on the part of the examiner, that it is right to extract it.

* The reader must not infer from this passage that the law does not sanction it now.

"At all events it is but a small proportion of the year during which the slave has an opportunity of labouring for his own benefit?"

"I should say it is a *very great* proportion of the year; that the negro can rear food for himself in one or two days, I am sure, of the thirty allowed him; he has all the rest to himself exclusive of the Sabbath, and it is much more than the labourer can have in Ireland, Scotland, or England, after providing means for his family.

"How many days in the year do you think the slave is entitled to, generally speaking, for his own use? how many days can he call his own?"

"In Jamaica they were allowed, when I left, twenty-six days, exclusive of the Sabbath, a certain number of days at Christmas, and usually a day at Easter."

"How many days altogether has he?"

"He was allowed by law twenty-eight days, exclusive of the Sabbath; he usually had one at Easter, but not by law."

"He had the fifty-two Sabbaths, and twenty-eight days besides?"

"Yes."

"Is there any exception made of the Saturday in crop time?"

"It is usual not to allow them those days in crop time, but when the crop ceases the days are then allowed. During crop he has not occasion to labour in his ground usually; it is not so much the season for putting in provisions."

"It appears that the slave works for his master two hundred and eighty-five days in the year, and for himself he may work eighty; is that what you call a large proportion of time to himself?"

"Yes, as compared with a labourer in Scotland or in England. I do not mean to say that he is allowed the Sabbath to labour; he has no occasion to labour on the Sabbath. I should say the Negro in many situations would *supply himself in one day with provisions for the year.*"

"Will you state the principle on which you form an opinion that a slave who out of the limited time allowed him for his own use will cultivate provisions sufficient to amass a considerable property, would not, if emancipated, where all his time would be his own, do the little labour which in your opinion is necessary for his own subsistence?"

"*The instances are not many where a slave by his own labour would acquire his freedom*; and judging by practical instances, I know none where a Negro in a free situation labours in that manner, or as the European does.

"The question related to the principle upon which you come to the conclusion, that a man out of a limited time will labour so much as to obtain considerable property; but that the same man, having the command of his whole time, would not labour enough for his own subsistence?"

"*I can only judge from practical instances; we know no instance in which they do so, where their time is their own, and in the present state of the negro I do not think he would become so industrious as the European is.*"

The determined reluctance of Mr. Shand and the insufficiency

of his answer, when at last extracted, give as lively a picture of embarrassment as paper can convey.

Another extract will serve to give the public some idea of the tone in which Mr. Shand was permitted to indulge. I suspect that had an anti-colonial witness given similar replies, something would have been muttered about "insolence," "contempt," "breach of privilege," and so forth. I have confessed to a vulgar taste in proverbs; your Grace will recollect the Yorkshire adage, One man may steal a horse, &c.

"If a planter of nearly equal experience with yourself were to state that a gentleman might be resident upon a plantation for six months without knowing any thing of the interior of the management of a cane field, you would either not understand or not believe him?"

"I should say that if a gentlemen chose to reside in this house without walking out in the streets he could not expect to know what went on there."

"The question refers to a gentleman desirous of obtaining information?"

"A gentleman desirous of information would hardly think of sitting in the house without going out into the cane field."

"You think that he would be able to obtain information?"

"Certainly."

"If he stated that he could not, you would not understand what he had said, or not believe his assertion?"

"My reply is, that it is possible, if a man chooses to go to an estate, and to sit down in the house, for him to be perfectly unacquainted. He might not choose to visit a particular part of the estate; *but I have never* prevented any gentleman visiting any part of my estate."

"The question supposes a person desirous of making himself acquainted with every particular of the management of an estate; not shutting himself within the doors of the house?"

"I am aware of nothing to prevent his obtaining the information which he might desire in this case."

"Could any part of the ill treatment of the slave or mismanagement of the property be withheld from a man who was six months on the estate, and desirous of informing himself?"

"No; I do not think any information could be withheld from him, unless he shut his eyes and ears."

This ought to be carefully compared with the evidence of Mr. Taylor, already quoted, upon the same subject.

In common with Mr. Baillie, Mr. Shand has a singular creed on the subject of licentiousness:—

"Have the mothers of the *children born in wedlock* any great encouragement beyond *those mothers who have children born illegitimately?*"

"No; I *never made a distinction between negroes*; I carefully avoided any *improper distinction.*"

"You consider this would have been an improper distinction?"

"Yes, I do so, because I did not in all cases encourage marriage. When negroes came to me proposing it, I said it was a matter that must rest with themselves; but that unless they were attached to each other, and intended to remain faithful to each other, I did not see that there was any propriety in their marrying; *that it could serve no good purpose.*"

Nor do his ideas appear less truly colonial, upon the subject of legal evidence: referring to a negro who had asked permission for a man of colour to read prayers to the slaves, on an estate in the parish of St. David's, he proceeds:—

"The negroes charged this driver with practising obeah, and said he had injured a great many of them, and that he had been the occasion of the loss of many children on the estate. He was tried for obeah, and it was clearly proved by the negroes. He told them that he had been the cause of the death of the former manager of that estate, Mr. Grant."

"Before what tribunal was he tried?"

"Before the usual tribunal of justices and jury; I forget how many form a slave jury; nine, I believe."

"In what manner did he accomplish the death of Mr. Grant?"

"I cannot tell; I believe not by obeah, but by poison."

"What do you understand by obeah?"

"The Africans are in the habit of collecting the beaks of parrots, dogs' teeth, and hair, and burying them at the door of the individual upon whom they practice obeah or those supernatural powers; or place it under the thatch of the house, where it may be found."

"Obeah is witchcraft?"

"Yes. When this individual sees the matter that is set for him, and believing it has influence, it operates strongly upon his mind. The individual gets into a morbid state, and perhaps at length dies. They attributed the loss of children upon that estate to this man; and I could never understand why the negroes upon that estate did not increase, being in a particularly healthy situation, when the negroes on a more exposed situation, three miles off, did increase."

"By this tribunal this man was found guilty, was he?"

"Yes, he was."

"How was he punished?"

"He was executed."

"For practising obeah?"

"Yes, witchcraft; and for poisoning his overseer; *for no man would believe but that he used poison.*"

"This was a free man?"

"The free man was the man who professed religion, and wished to read prayers."

"Was the obeah man a free man?"

"He was the head driver on the estate, and had been so for many years, and to him I attributed the decrease of negroes."

"He was the man who desired permission for another to read prayers?"

"Yes."

"It was to that description of person you referred?"

"I therefore conclude that the man whom he wished to introduce was in all probability a character as bad as himself"!!!

Hence it seems that a negro was executed for killing Mr. Grant by witchcraft, and therefore Mr. Shand most logically infers that the friend whom this negro wished to introduce, must be "as bad as himself." They might both be wizards for aught I know; but verily, Mr. William Shand is no conjurer!

I promised an incidental remark now and then in illustration of the animus of the examination. And here I may observe generally, that there is great licence given to the witness in meeting questions with argument, instead of answer. It constantly occurs: and in some instances appears as if it were indirectly suggested to the witness as a way of escape. For instance, immediately after a succession of questions relative to the branded runaways advertised in the Gazette, and which seem to have proved very embarrassing to all parties, the following question is abruptly introduced:—

"Has it come under your observation that labourers in England often run away and leave their families chargeable upon the parish?"

"I do not know any thing of this."

"Did you never see advertisements in the country newspapers of England, offering a reward for the apprehension of the man who has run away, and left his wife chargeable to the parish?"

"No, I have not seen any thing of that nature; but we see advertisements charging the people in this country with great cruelty, much beyond any thing practised in the colonies; we have as many instances recorded in one weekly paper in this country as will be seen in all the papers of all the colonies in a year."

Your Grace will not fail to notice not only the absurdity of the second answer, but how obviously it was prompted, though wholly irrelevant, by the question that precedes it.

A similar instance occurs in the following page; many of the advertised negroes being described by their loss of teeth, fingers, &c., the following question is put to the witness:—

"Have you ever heard in England of coal-heavers and porters being ruptured from great weights?"

And at page 225.

"Have you ever heard of paupers being employed in drawing carts, heavily laden with stones, in England?"

In some places there is an attempt at wit, which, to say the least of it, is much misplaced; as at page 239.

"Do the sea breezes waft through the luxurious cane plantations the wailings of hundreds of unfortunate negroes?"

I know not, Sir, whether this quotation is the poetry of Lord Holland, or the wit of Lord Ellenborough; but neither the one

nor the other will tend to make the British public better satisfied with that noble tribunal by which the examination has been conducted.

To sum up the evidence of Mr. Shand ; with all his boasted experience, he stands convicted of ignorance, upon the all-important points of labour, punishment, spell work, marriage-premiums, field discipline, and all the alleged "legal advantages," which he would have us believe that the slave enjoys !

And for the rest, the whole is made up of false reasoning, colonial sophistry, and (when that fails) wild speculations of the danger of emancipation, and the discontent that is excited by the mention of it ! He attempts to cheat us by the contrast of slave labour with English manufactories, of which he admits, that he knows nothing. He sets off against the wages of the English peasant, "comforts which the master does *not* give, and "legal advantages" which he cannot define ; nor does he scruple to charge himself with conniving at the illegal detention of three men in slavery, for twenty years, so that he can obtain credit for the magnificence of his slaves being themselves slave owners !

It was hardly to be expected that much could escape the witness, favourable to the anti-colonial side ; but even Mr. Shand makes admissions : he confesses to the coercion which Baillie denies. (Vide p. 238.) He acknowledges that he does not recollect more than one sugar estate on which the population increases ; (vide p. 232,) and as we have seen he admits at page 200, that the chief part of the population are creoles. Thus then in spite of all his caution, and all his colonial sophistry, and all his experience in the witness box, (for he says he was examined on a former occasion,) he has done good to the cause of abolition. "I called thee to curse mine enemies, and behold thou hast altogether blessed them these three times."

If I laid claim to much aristocratic feeling, I should perhaps be tempted to think well of the policy of the colonial party, in the marshalling of their witnesses ; they begin with a duke ; they go on with a judge ; Mr. Baillie, happening to be in a hurry to return to Jamaica, is introduced by the bye, and certainly makes up in decision of testimony, whatever he may want in rank ; then comes another governor, with a K. C. B. attached to his name ; and presently after a learned knight, being a doctor of medicine into the bargain, is ushered in with all the importance of thirty years' practice in the colony ; we shall hereafter find a gallant admiral, and another illustrious knight, commander of the Bath, bringing up the rear rank. It is well for me, my Lord Duke, that I care little either for rank or names ; otherwise, it might be rather embarrassing to entertain a doubt whether these same illustrious witnesses deserve half the credit, which is due to the humble and despised class of missionaries ;

in my business to clear away the mist, which such unquestionable testimony was, perchance, intended to throw upon the sight.

SIR MICHAEL CLARE

would indeed have been a most useful witness, and have occasioned, even to my own boasted clear-sightedness much perplexity, had he not fallen into Lord Suffield's hands. I opened upon the following part of his examination, and for a time I felt staggered.

"Did you ever hear of an instance of marriage being discouraged by any planter?"

"Never."

"Did you ever hear of an instance of insufficiency of maintenance for any negro?"

"Never."

"Did you ever hear of an instance of a slave being forced to excessive labour?"

"Never."

"Did you ever hear an instance of a delicate female being flogged in the field to make her keep up a quantity of work equal to that of a robust negro?"

"Never."

"Do you believe that that ever occurred?"

"I do not."

"Did you ever hear of an instance of the whip being used to stimulate labour in the field?"

"I never did; not even on my first arrival in the island."

"From your experience in the island of Jamaica, have any circumstances come to your knowledge respecting the diminution of population, which should induce you to think that there was a waste of life by slow torture, that slaves half fed were worked beyond their strength, till exhausted nature sunk under a weight of cruelty and oppression unparalleled in the history of the world?"

"Good God! Never! I never heard of such a suspicion."

(Vide p. 285).

What can be more convincing? Who will hereafter dare to breathe a syllable against colonial tenderness and humanity? But when I recovered myself from my first surprise, I dipped a little further into the examination, fully convinced that Sir Michael Clare would enlighten me thoroughly upon the whole controversy. Your Grace will conceive my embarrassment, when I stumbled next upon the following answer to the question, whether habitual suicide among the slaves, prior to the abolition, proceeded from violence of character, or depression of spirits.

"I should humbly conceive from neither; as may be perceived from the history I am about to mention. There were eleven of them; one of them hung the other ten; he did it *by persuasion, and he did it in a species of mirth and gaiety*, and then he hung himself, three

times, with withes that broke twice; and he ultimately hung him for the third time, and it did not break, and they were not discovered till they were all perfectly dead"!!!—(Vide p. 266.)

Did your Grace ever hear the story of two Kilkenny cats, that eat each other up except their tails? That was a wonderful event; but I think you will admit with me, that this "gay and mirthful" execution of the decemvirate, and this triple suicide of their executioner, is yet more wonderful and difficult of explanation. Perhaps the learned physician holds communion with the illustrious dead, and thence derived his knowledge of the incidents of a catastrophe, that "was not discovered" till all was over.

It is true that the learned doctor, having by that time found himself in an odd dilemma, attempts some twenty pages after, to account for this preternatural knowledge, by "finding two broken cords, and the slave hanging by the third"! (Vide page 286.) This is conclusive as far as it goes; but it still leaves us in the dark, how "the persuasion, mirth, and gaiety came to light"!!! This explanation, like much of his evidence, proves Sir Michael to be a very ingenious man, but does not materially assist us as to the facts of the case. But leaving all miracles, let me try him in my scales of credibility.

The doctor's direct interest is perhaps not considerable; he is, it is true, a slave proprietor; he is not examined upon this point, though he admits the fact incidentally, at page 275. He has not, however, I believe more than twenty-five or thirty slaves; but there appears to be an indirect interest, which can hardly fail to create a strong bias in the mind of a witness so circumstanced. It has been already observed, that he resided in Jamaica for thirty years, with short intervals, and having at his advanced age, for he began practice there in 1798, returned to this country, it is a natural inference, not only that all his connexions are colonial, but that all expectation of English practice must depend upon his good understanding with them. I have no idea for my part of being squeamish upon a subject, where the interests of so many are at stake. I should therefore have felt it no breach of propriety to have asked the doctor plainly, what were his future views in life, and his present resources, before I made up my mind as to the degree of credit I would give to his testimony. Doubtless this would have appeared to your Grace very uncourtly; but those who are accustomed to sift evidence, know perfectly well that all these fine feelings stand very much in the way of eliciting the truth—a man honestly in search of it, should be as plain spoken as a quaker. That this witness has, for some reason or other, a very strong leaning in favour of colonial prejudices will be obvious upon the perusal of the following answers.

"Have you as a physician been called upon to attend negroes in consequence of severity of punishment?"

"In one or two cases I have."

"Are those instances frequent?"

"No; very rare."

"Did the punishments in those cases appear to be severe?"

"The punishments were severe; *and the punishments on those who inflicted them were very severe also, afterwards.*

"Was that by sentence of the court?"

"By sentence of a legal court."

"Was the punishment of the negro, for which you attended him, by the sentence of the court or the cruelty of the owner?"

"By the cruelty of the person who had the management."

"Was the person who so cruelly punished the slave severely punished by sentence of the court?"

"Yes; the white man who punished the slave died in prison under his punishment."

"You state, that in consequence of the act of cruelty, the individual was punished by sentence of the court, and that he died under that punishment; what was the nature of that punishment under which the man died?"

"It was confinement, and fine, *and the loss of the negro.* The negro was emancipated by the order of the court; he was allowed £10 a year, if my memory does not deceive me. The man was sentenced to twelve months' imprisonment, during which time he died."

"Do you remember the nature of the cruelty exercised towards the slave?"

"It was for running away and stealing; and for this, having been repeatedly done, he took a *stamping iron, an iron with initial letters, and with spirits of wine punctured a female on the breast.**

"When was this?"

"I cannot recollect the exact time, but it is on the records of the court of Spanish Town."

"Was she subjected to flogging also?"

"No, this time she was not."

"She had been?"

"*She had been.*"

"By the same manager?"

"Yes; *but it was for a crime she would have been hanged for in England.*"—(Vide pp. 267, 268).

Observe the animus which these answers betray. "The punishments were severe; *and the punishments on those who inflicted them were very severe also;*" as much as to say, do not for an

* The attentive reader will not fail to observe that the sex of the sufferer is here changed !!! In the last answer he is spoken of as a male negro: this strange blunder, if it will not warrant graver suspicions, at least illustrates the extreme carelessness both of the examination and the swearing.

instant imagine that severe punishment of a slave is an offence leniently considered in Jamaica. But to what does this vaunted severity of retributive punishment amount? "To twelve months' confinement, fine, and the loss of the negro." By the next answer, it appears that the cruel treatment for which this punishment was inflicted, was branding a female slave on the breast; an act for which according to British law, a man would have been liable, if I do not greatly err, to death: though in the colonial tenderness of the witness, it was *very* severely punished by fine and imprisonment! But still farther to show the inclination of his mind, it should be noticed how eager he is to justify a former flogging which she had received, by adding *unmasked*, "it was for a crime she would have been hanged for in England." Why my Lord, did your Grace forget to enquire what was the nature of this crime, so that you might estimate, not merely the justice of the flogging, but the disposition of the witness who sought to excuse it? These little traits are directly connected with my first measure of credibility—disinterestedness, and will serve to counterpoise that emphatic testimony of the witness with which I have introduced him to notice.

I must examine this singular statement of the severe punishment inflicted for branding, a little more closely. The witness states at the same page (268), that the circumstance occurred ten or twelve years ago. The first law which prohibited branding, was the act of 1826; and that, in creating it an offence, subjected it only to a penalty of £100 currency (being about £70 sterling), or a year's imprisonment. It is true, that *cruelty* was punishable before; but not the simple act of branding, such as is described by Sir Michael Clare above. If, in this instance, under the process of branding, the woman's breast was mutilated to an extreme degree, endangering its organic functions, then what are we to think of Sir Michael's estimate of the severity of the punishment for such an offence? With us, at least, a man would undoubtedly be transported. And what also are we to think of *Sir Michael's description of it as a simple case of branding*? insinuating an apology for it, too, that it was "for repeatedly running away." Either it was a case of gross cruelty, and the witness has intentionally softened it down into one of simple branding, or it was a case of branding, and twelve years ago not subjected to punishment. What then becomes of Sir Michael's veracity? I will leave him to his choice of the horns of this dilemma.

To return from this digression.

My second test of credibility, is the knowledge of the witness; and I must frankly state that I have met with no decided proof of ignorance. The whole examination of this witness bears marks of being hurried and superficial, except upon the

subject of hospital treatment, where of course he was at home. There is one of his answers, however, that shows him to be incompetent to give information upon any matters of field discipline.

"Have you ever observed any number of slaves at work in gangs, for any length of time together? have you stood by, and watched them at work?"

"No; I have rode past them; I never stopped by them; it is rather unpleasant the smell of the people working."—(Vide p. 287.)

This unmannerly intrusion "betwixt the wind and his nobility," has certainly disqualified the learned Sir Michael from giving satisfactory testimony to the gentleness of field labour; although, at pages 283 and 284, he would willingly appear to be as learned on that head, as in compounding a dose of salt water,—a medicine which he seems to have administered to his patients with great effect.—(Vide p. 274.)

But the grand criterion is, after all, consistency; and Sir Michael, as well as his predecessors, must pass through this ordeal.

The first variation in his evidence is of a minor kind.

"Negroes," he has just observed, "do not like, generally, being shut up in a hospital."

"Do you know the cause of their objection? does it arise from any neglect of them in the hospital, or any other cause?"

"It is the general cause of disliking medicine, and medical treatment; they do not like to be dosed with medicine."

"Even when they require it?"

"Some do, and some do not."

"You do not ascribe it to inattention or unkind treatment in the hospital?"

"Never, that I witnessed."

"You have no reason to suppose that it could arise from that?"

"No."—(Vide p. 264.)

Yet, in contradiction to this, when he is examined as to the disposition of the negro to make complaints of illness arising from personal injury, being asked,

"Had other negroes ready access to you to make complaints of that sort?"

He replies,

"Yes, always; many of them would come to consult me on their own cases distinct from applying as a hospital case."—(Vide p. 271.)

Thus it seems that while they "dislike medicine and medical treatment," they are not indisposed to ask for medical advice. Would it not appear to your Grace a simple solution of the seeming inconsistency, that they did dislike the hospital treatment? But this explanation would have been lamentably inconvenient; for in the hospital, as we are told at page 286, there

is a proper "supply of comforts for the sick, of every thing necessary; where any extras were required, I never asked for them, but I got them."

Your Grace would hence infer that every thing desirable was to be found in the hospital; indeed we are not left to inference; it is roundly asserted.

"Was the supply of medicines, and gruel, for instance, and those articles necessary for the sick, better in the military hospitals than you found on the plantations?"

"No, not better. The medicines are the same; and the care is as great, I should say is greater; for they are taken care of by women instead of men; and the men are not the best nurses."

"Is there not great difference in the physical constitution of negroes and white men so as to make the proper treatment in the same disease very different?"

"On many occasions their complaints are much more inflammatory than those of white men in the West Indies."

"By whom is the food supplied in the hospital? is it invariably supplied by the master, or is the slave supported by his own funds when confined at the hospital?"

"It is always supplied by the overseer, who receives the commands of the proprietor or the attorney of the property."

"At the expense of the master?"

"Yes, certainly."—(Vide p. 286.)

And, in another place, the same information is given to us in more minute detail.

"Besides the medicine, was the hospital supplied with any article of food, or any thing for the purpose of making broth or gruel, which the sick usually require in this country?"

"Those specially ordered for were always supplied, with mutton and other comforts of that kind, from the doctor's directions."

"Was oatmeal, for instance, an article which was supplied?"

"Oatmeal was one of the stores, and rice and the corns of that country."

"When you speak of corns, what description of corns do you refer to by name?"

"Guinea corn."

"That is a species of millet?"

"Yes; a very fine millet; I think it is better than rice and the great corn and maize."

"Was wheat flour an article supplied?"

"Yes; wheat flour from America; and the yams and plantain, and the bread kinds, as they are called in America."

"Was sugar supplied, if required?"

"Yes; and port wine very commonly."

"On any of the estates was there a hot bath?"

"Yes; it has been frequently ordered."—(Vide p. 265.)

It certainly does seem most extraordinary that with "com-

forts" like these before them, and a natural inclination to seek medical advice, the sick negroes should rather "skulk," as he says at page 264, than enter the door of the hot-house, for that is the proper name. But, when the doctor is a little pushed, the mystery is explained.

"With what was the hospital usually supplied for the comfort of the negroes? were there bedsteads, or any thing in the shape of beds, bedding, or any supply of that sort?"

"They had *those kinds of sleeping boards which are met with in soldiers' barracks*—stretchers, that they lie on; *AND IF* they have blankets, and those sort of things, *OF THEIR OWN*, they bring them. If there is any accident,—any broken limb, they are supplied with a bedstead."

Tolerable comforts these, for a sick man, it must be confessed, but then, it is a Jamaica doctor, speaking of a slave patient! A few lines afterwards, a little more explicit information is given as to these boasted "comforts."

"Is not the stocks a common piece of furniture in the hospital?"

"Yes, in the sore-leg hospital; and that apartment was divided off."

Some noble Lord seems, naturally enough, to have been astonished at this singular appendage to the dispensary of a hospital, and asks,

"Is the hospital here used as a house of correction?"

"No; I have never seen any persons detained in the hospital, except those who required medical treatment."

Omitting a question which breaks the chain of the examination,

"What is commonly the furniture of the hospital? what other accommodation may the hospital afford besides sleeping boards?"

"A fire-place, and perhaps those stocks; *nothing else*, I think, except what is brought in at meals."

"No articles of bedding?"

"Some of those who were under fevers had bedding and beds for them, when they were wanted to be kept particularly warm and comfortable, but in general they *had only the boards*, the same as a guard-room."—(Vide p. 287.)

Who is the better judge, the doctor or the slave? The first swears to every "comfort," and the "supply of every necessary." The slave considers that a deal board for a rheumatic back, and a pair of stocks for a sore leg, fall something short of "comfort." For my part, I agree with the slave, though at the expense of the doctor's consistency. And moreover, I am somewhat inclined to suspect that the supply of "port wine," or even "mutton" broth, must be scanty, and bear a fair proportion to the admitted luxury of the *cooking*.

The doctor is a little confused, not to say contradictory, in his description of the negro character.

"Generally speaking those features of the original Africans (being turbulent, and inclined to mischief), have subsided, and become softened?"

"*They have softened into a new character, which may be called the creole character.*"—(Vide p. 265.)

"Since the importation of African negroes has ceased, have you known instances of suicide under that sort of impression (the impression that they would return to their own country), as far as you can trace it?"

"No; for I believe the false idea is done away with in the present negroes; or rather I would say *since Christianity has been so much introduced among the negroes.* The introduction of Christianity has annihilated the idea of going back to Africa."—(Vide p. 267.)

Now these answers, if they mean any thing, imply that Christianity has made progress among the slaves, and that the creole character has improved. It appears, however, at page 288, speaking of the year 1764, that he thinks "*the character of the negro is very much altered already from what it was.*"

"Do you mean improved?"

"I am afraid not; I think they are more dissatisfied, and more unwilling to follow any plan laid out for them."

And, to remind your Grace of a fair specimen of their progress in Christianity, I will recall to your mind the witness's examination upon their moral conduct.

"Suppose that all the females were taken possession of by a certain number of men, what are to become of those who are desirous of having women?"

"The other men would knock their brains out; I should think they would have battles immediately."

"Is it not a matter of great importance to the morality and discipline of a plantation, that means should be taken by the proprietor to limit this engrossing of the women by a few men?"

"They must attempt to do it by inculcating better morals on the women."

"Do you think that has not been yet attempted?"

"It has been attempted, I know, for many years."

"But not with success?"

"Not with authority, but with reasoning; there is apparent success, but there is no success in reality."

"Do the clergy interfere?"

"Yes, very much. They appear very docile and well-taught while the clergyman stays there; the moment the clergyman goes away they go back to their own husbands again."

"Do the men who are married in church live in that state of promiscuous intercourse with other women?"

"For a certain time they keep up the appearance of decency, but many I know have gone back to their old habits."

"Do the women also?"

"Yes; they become equally demoralized in their private habits, though they keep up appearances."

"Do you think that by the introduction of education it would not be possible to introduce a better order of things on a plantation?"

"Yes. It appears to me the only feasible method is to bring up the present race separate from their parents, and then they may continue Christians; but I do not think they will do this remaining with their parents."

"Do you think such a method would be advisable?"

"Certainly. In some places I have observed they have begun to practise it; the better morals on those estates would reward them for what they have done."

"Is such a practice attended with any particular difficulty?"

"It is only the discontent of the parents not being allowed the labour of their children; for that is what they wish for—to have their children to work for themselves."—(Vide p. 277.)

It must be owned that this is a fine specimen of the moral culture of the negro, under colonial management. Nor will the quotation be thought less valuable, for the admission made in the last answer but one of the advantage derived from the improvement in morality, where it has been attained, even by the harsh measure here suggested. But these remarks are foreign to my immediate purpose: I wish to show the consistency of the witness. Your Grace is doubtless as much puzzled as myself, to collect from the evidence of Sir Michael Clare, M. D., whether or not the slave has improved, or Christianity advanced, within Sir Michael's knowledge!

I do not think that you will find it much more easy to satisfy yourself of his experience upon another very important point. The question is this:—had Sir Michael Clare, M. D., of thirty years' practice in Jamaica, witnessed hospital cases of disease brought on by flogging, or had he not? I will first quote his evidence on the negative side.

"Have you observed often that slaves were in the hospital, who had been sent there in consequence of punishment?"

"No, not often; I scarcely recollect any."

* I repeat here once for all, that I do not give every question in succession, where the line of examination is interrupted by the introduction of some different topic. This very often occurs, and arises I fancy from one peer taking the examination out of the hands of another, before the latter has finished his questions. The practice has involved the whole evidence in much confusion, and necessarily exposes me to the imputation of garbling extracts, though I only leave out

"Have you as a physician been called upon to attend negroes in consequence of severity of punishment?"

"In one or two cases I have."

"Are those instances frequent?"

"No, very rare."—(Vide p. 267.)

"Were you to be understood to say, that in the course of your own experience as a medical man in Jamaica you have had only one or two cases brought under your consideration of laceration from flogging?"

"I do not even recollect one of that description, of the general working class; I recollect one or two cases of severity of individuals, but not in the whole drove of working negroes."

"The question did not suppose that the whole drove of working negroes were brought under your treatment; but do you mean to say you never had more than one or two cases of laceration from flogging—severe bodily injury from flogging—which cases you were called upon as a medical man to treat in the hospital?"

"No, not in the hospital."

"Or out of the hospital?"

"Nor out of the hospital."—(Vide p. 268.)

"Did you apply that observation to sugar and coffee estates and pens, or do you apply it to what are called domestic negroes employed in the towns?"

"No; there may be exceptions amongst domestic negroes, but amongst people attended as cultivators, farming negroes, I never remember having in charge negroes who were severely inflicted with punishment of the whip."

"No such cases were brought before you, as a medical man?"

"No."—(Vide p. 269.)

These answers appear to me conclusively to mean, that the witness, unless with one or two rare exceptions, was never called upon to administer professional assistance in consequence of the severe punishment of a slave. But, immediately after the last answer, the cross-examination is pressed with much firmness, and becomes proportionably embarrassing. This brings us to his evidence on the affirmative side. The result is, that the witness, not only by implication, but in direct terms, admits the existence of sores after punishment to be a case of constant occurrence, within his professional duties. In the first of these answers you will not fail to notice the very guarded terms of it;—"He knew nothing of the punishment." As if it was ever supposed that the learned doctor was required to stand by, and feel the victim's pulse while the flogging was inflicted. No, no; the military have at least the advantage there.

"You never knew a single case of an agricultural slave brought to the hospital from severity of punishment?"

that, of which the omission is necessary to preserve the thread of the enquiry.

"No; not from severity of punishment. I have seen sores become in a bad state where *I knew* nothing of the punishment; I was only called upon to treat them in the state in which I found them; I did not suspect that any of those that I did treat were occasioned by severity of punishment."

"Or by punishment at all?"

"I do not mean to say that there are not cases of degenerate sores, which have become foul and bad afterwards, from neglect. *I have seen sores degenerate from the negroes' running away after punishment; I have seen them brought back, and that in a bad state, but not from the original infliction of the sore, but from the neglect of the sore.*

"The sore originated in the punishment?"

"Yes; and by being ill-treated, and kept out of the way; they did not allow themselves to be brought to the hospital. *I have seen them fly-blown and foul.*"

"If the slave had not run away *would he not have been brought to the hospital to have his original sore cured?*"

"Yes."

"Have you ever known an instance of a negro after punishment being brought to the hospital to be cured in consequence of a sore produced by the punishment?"

"*The custom* is to confine the negro in the stocks till the sore gets well, for if we let them walk about it aggravates the sore; if he walks about with a sore leg he will never get well. The negro may run away immediately after the punishment, and return with a very bad leg."

"Is the doctor called upon to attend to the sore when the man is in the stocks?"

"Always."

"Have you often been called upon to treat the sores of men in the stocks, which sores arose from punishment?"

"*It might in the first instance arise from punishment*, but it would not have arisen from punishment had they been treated in the way they had intended to be treated."

"You have stated that it is usually the practice after a slave has been punished to put him in the stocks, to prevent his running away?"

"To prevent those sores it has been *invariably my practice*, and would be if I went back to the West Indies, to keep a man in the stocks till his sore was well; as it would be in the army, if I had the authority."—(Vide p. 269.)

What is the meaning of all this mystification about sores and punishment? The plain, straight-forward truth is clearly this: that punishment not only frequently, but generally, led to sores; so frequently, and so much within the observation of the witness, that he quotes "*the custom*" of confining the negro in the stocks, until his sores get well; and adds, that such has been "*his invariable practice.*" Is it not clear, my Lord Duke, that all this quibbling about sores springing from neglect, running

away, and so forth, is splitting a straw? The negro is flogged; he runs away, as I should do, or your Grace either, under similar circumstances; his wounds become fly-blown; he is taken, brought back to the hospital, and, to prevent his running away a second time, is confined in the stocks till he is well! This is a plain story. Why should the learned Doctor have left to me the trouble of making it out for him? but plain stories are not always convenient.

After these striking specimens your Grace will not desire me to point out minor variations; I will therefore content myself with one more quotation on this head, which I give because it shows, in a conspicuous light, the *opposition* of colonial *opinion*, to colonial *experience*, where the latter happens to be in favour of emancipation: first for the opinion:—

“Supposing a state of emancipation, what effect would that have upon the vices of the negroes?”

“It would set them loose.”

“In the present state you find a great difficulty in removing the children from their parents; supposing the negroes were emancipated, what would be the effect of that emancipation upon their morality or their vices?”

“*Indulgence in every vice without restriction.*”

“Do you think emancipation would lead to morality or to vice?”

“*To vice, undoubtedly.*”—(Vide p. 278.)

This opinion is broadly given, and will tell well with those who have not weighed Sir Michael quite as carefully as myself. Let it be compared with the following *experience*, and say for yourself, my Lord, how the fact and the opinion tally.

“What is your opinion of the disposition of the slave as to industry?”

“Never to work when he can leave off; their only idea of freedom is that they may sit down and do nothing.”

“Do you know any instance of slaves accumulating considerable property?”

“There are some rare examples; and there were some cases that were attended with remarkably good effects, if they had been kept up, perhaps. Old Sir Charles Price was the first person from whom it had its origin. He made the best negro he had free every birthday as the year came round; the finest negro, whether head boiler, or whatever he might be; the negro valued at the highest rate; he gave him his freedom, with the condition that he should continue to live with him, and continue in the same employment, and receive a certain salary the year round.”

“That was attended with a good effect, you think?”

“*It was attended with an excellent effect; none of them became licentious or idle negroes, but were imitated by every negro that could contrive to come in for the prize the next birthday; and probably it would have gone on but for his death.*”

"Was he a resident proprietor?"

"Yes."

"How do you account for his example not being followed?"

"He was very rich, and was able to bear the expense; at the same time I should state that he found the whole of his negroes improved ultimately. After his death his property got into debt, and they could not afford to keep it up."

"According to that account he gave up nothing?"

"No; he actually increased his interest."

"His property was advantaged?"

"Yes; but he lived in a very profuse way, and when he died his affairs were found to be dilapidated, as far as that went; but as far as this operated they were improved."

"Did his debts arise from this emancipation?"

"I conceive not."

"Perhaps you are of opinion that Sir Charles Price experienced no pecuniary loss by the course he pursued, but rather the contrary, from the improved condition and the improved industry of his other slaves?"

"He certainly did; there is no question about that fact."

"Did not he lose the wages he paid to those men?"

"No; he more than gained them by the improvement of others."

"Did the emancipated slaves remain on the estate?"

"They continued there until their wages ceased to be paid to the... They did not fall into poverty, but while they continued to keep them up in this economical way it succeeded remarkably well."—(Vide p. 288.)

Here a certain, but a very remote expectation of the boon of freedom is proved to have been attended "with excellent effect;" so that "none of the slaves became licentious or idle;" and even those who remained in slavery, became valuable from the example! Yet the man who states this, and who speaks of it as politic and praiseworthy on the part of the owner, coolly gives you his opinion, that emancipation will "*undoubtedly* lead to vice, without restriction"!!!

It is an insult to common sense to waste more time on such a witness; but I shall take the liberty of quoting, even from this witness, some very instructive facts.

"You have stated one case of a domestic slave being severely punished, and requiring medical treatment; can you state any other cases?"

"I have known some cases of persons punished from violent passion, but not in the way of established field work."

"How many cases do you happen to recollect of such extreme punishment from passion?"

"Two or three; but they were not floggings."

"Of what nature were the injuries?"

"Knocking down the negro senseless."

"Have you known an instance of loss of teeth from that circumstance?"

"Yes, I do recollect one."

"Only one?"

"Only at this moment."

"You do not mean to deny that there may be a great many more?"

"The impulse of passion may carry people to extremes; I have never witnessed any; but this case I recollect, by attending the person nearly at the time, whose hand was injured, and he lost two fingers."

"Do you mean the patient or the inflictor?"

"The inflictor."

"Was that man who inflicted the punishment a white man or a negro?"

"He was a white man."

"Was he an overseer or manager?"

"No; he was presiding judge; lord chief justice of the island."

"Was it his own slave?"

"His own domestic servant."

"Was the chief justice of the island brought to trial for this assault?"

"No; the slave made no complaint."

"Did he make any amends?"

"He was a very good master in every other respect, but he was gouty and passionate."

"He had a bad wound in consequence?"

"He nearly died in consequence."

"Did that correct him?"

"He never struck him with *that* hand again."—(Vide p. 271.)

All comment upon this is superfluous. Your Grace will not fail to observe, that the offender was nevertheless, in the colonial judgment of Sir Michael Clare, M. D., of thirty years' practice in Jamaica, "*a very good master in every other respect.*"

I would call your attention to another important admission at page 279.

"Do you consider marriage to be encouraged by the planters?"

"When the clergy were doubled, it was for a considerable time very much encouraged, when the Bishop of Jamaica came out, it happened then, that marriage was in great vogue; but it soon fell into disrepute and disuse."

And in the following page 280, the subject is pursued.

"You stated that when the number of the clergy was doubled, marriage was then permitted; was it permitted by the proprietor or the clergy?"

"It was come into by the negroes, who conceived they should get their freedom by it."

"Do the clergy now permit it?"

"Yes; they promote it so far as they find they are able to understand it; but the negroes have an idea that being Christians, or being baptized, is an absolution for all past sins; therefore they are inclined

to become Christians, and then consider what they shall do afterwards."

"What steps are taken to correct so erroneous an opinion?"

"The curates and the rectors, and the rural deans, are constantly going about to inculcate, *but I do not see that they do much good with the adults*. Since catechists have been employed the children have improved very much; they appear docile and well-meaning little creatures."

"What opportunities do the clergymen have of visiting those slaves?"

"They have their parish days, their regular duty; and the rural dean goes round every few weeks to inspect the state of the schools."

"Do you know, of your own knowledge, that the rural dean, or any other person in a similar capacity, is in the habit of seeing negroes in private, speaking to them and reasoning with them in private, on religious subjects?"

"The catechist is the person who gives them that verbal instruction, and the rural dean examines what the catechists have done."

After this miserable specimen of the fruits of orthodox clerical instruction, your Grace perhaps will feel less disposed to under-rate the exertions, or the characters of the missionaries.

Sir Michael Clare incidentally drops some valuable particulars, bearing upon the question of the population decreasing.

At page 267, he is asked,

"There are not a great many negroes now living who came from Africa?"

"No; and they are old."

And at page 282,

"Do you consider that the proportion of people of that age, ('past child-bearing age,') in the West Indies, is greater than the proportion of persons of the same age in any other population?"

"*I cannot state any difference.*"

Your Grace will perceive that this is another direct contradiction to the favourite position of the colonists, that the slave population has decreased from the excess of unprolific Africans above the creoles. Sir Michael distinctly states, in common with other colonial witnesses, that there are but few Africans remaining, and that the child-bearing women are as many as elsewhere!

There needs no summary of Sir Michael's evidence: it amounts to nothing, because it is inconsistent with itself, and that to an unexampled degree; but his pro-slavery admissions of the prevailing licentiousness, of the inutility of the clerical exertions, and especially of the fallacy of the statement of moral improvement, cotemporaneous with the bishop's appointment, are valuable. The facts which seem to have been so reluctantly extorted, relative to discipline, hospital treatment, &c., were known to us

before. We required no ghost to tell us the unhappy tale; and yet it is satisfactory to have the accuracy of our complaints thus again confirmed by an enemy. I leave Sir Michael to his dialogues with the dead.

There is something in the evidence of

ADMIRAL SIR LAWRENCE WILLIAM HALSTED, K.C.B.

which is quite irresistible; a bewitching innocence; an arch simplicity, which reminds one of the Lake School of poetry, or at least of Horace Smith.

“My father’s walls are made of brick,
But not so tall, and not so thick,
As these; and, goodness me!
My father’s beams are made of wood;
But never, never, half so good
As these that now I see.”

Such in the gallant admiral’s eye is the relative view of English and colonial happiness.

“I took some pains,” says the good-natured man, at page 291—293, “to find out the real state of the negro, and I will relate some circumstances that happened to me in the first place where I landed, which was the 23rd of December, 1823. On that day or the next morning, I am not certain which, the back part of the pen, which was the admiral’s house, was taken possession of by, I suppose, from eighty to an hundred negroes, men, women, and children of different sorts. *They commenced dancing and singing in the most delightful way*, according to their ideas. I said to Sally the house-keeper, who had been there for twenty years, ‘Were these the people that I was to meet with dejected countenances, and who could not look at a white man but with envy and hatred?’ She said, ‘O no, massa, they never do that; this is the way in which they come; they never ask permission to come and dance.’ They even went further, and took an infant out of the nurse’s arms, and went dancing about with it; and I was glad to see that they had such cheerful countenances, and that they were a different race of people from that I expected to find them.”

“Did you know of many instances of cruelty committed?”

“No; I had heard of cruelty before I went to Jamaica, and I took great pains to discover what was the fact. During the time I was there the tank at Rock Fort, which supplies the fleet and the hospital with water, was out of repair; there were 100 workmen at work there under Mr. Anderson. I thought that might be a very fair opportunity of finding out whether any of those people were flogged and kept in order to go on with their work; I frequently had an opportunity of going in the most secret way, without being expected, to discover how things went on, and I never saw any thing like punishment. Once I saw a negro driver, as he is called, (they chatter exceedingly, you would suppose they were going to eat each other up by their

manner, but after scolding one another,) lift up a bit of a whip, not a bit larger than I used to use to whip my top when a boy, and he gave a blow, and it went upon the loose part of his frock; he laughed at the keeper or driver, and the driver laughed, and they separated; and that was the only time I ever saw a hand lifted up against a negro whilst I was in the island; and I must say, that I never heard any scolding from a master to his slave, which I thought a most extraordinary thing, having been accustomed to it in other parts of the world. I never saw a negro scolded by his master for not doing his work on any occasion."

"Does the general appearance of the negro exhibit that of persons ill used, hard worked, and badly fed, or the contrary?"

"Quite the contrary. In our different rides, Lady Halsted and myself, I every day saw an immense number of negroes coming to Kingston market with baskets of vegetables, fruit, and some with poultry on their heads; and I asked whether those baskets of fruit belonged to the negroes themselves, or to their masters and mistresses; and I was informed that they belonged to the negroes, and that the money that they produced belonged to them also. I said, this is a wonderfully great advantage to those people; I could hardly believe it; but being determined to find out the truth, I took an opportunity of desiring Sally Adams, the housekeeper and cook, to detain six or eight of those people that came into market with their things, for they generally stopped at the pen to know whether the admiral wanted any thing. She did so; and I desired her to get them into the kitchen, and lay upon the floor the proceeds, at least the quantity from each basket separately, and to tell me what the price of each of those parcels was in the market, which she knew as well as any one. I went down, and there they were all spread upon the floor. 'Now,' said I, 'Sally, what is the value of that parcel there?' She said, 'Massa, that two dollars.' 'What is the value of that?' perhaps a girl. 'A dollar and a half, Massa.' 'What is the value of that?' 'Two dollars and half, Sir.' The highest value was three dollars and a half."

"Do you recollect what the whole amounted to?"

"Not exactly; that was the value of the different parcels. When this was arranged, I said to the girls, 'Now, girls, what do your massa pay you for selling these things at the market for him?'—I knew that they were their own. 'Massa, not my massa's, not my massa's.' I said, 'You do not mean to tell me they are yours?' 'Yes, massa, they are mine.' 'Do you mean to tell me that the money these things produce is your money, and you can do with it what you please?' 'Yes, Massa, I throw it away if I please; it is not my massa's;' and I certainly understood that those articles were their own. I asked where they got them; they said, out of their garden and their provision ground; that it was allowed by their masters. On further enquiry, I found this was not a solitary case of once a week, but repeated as they could collect them to carry to the market. It struck me as one of the most extraordinary things I had seen, so different to the situation of people in my own country. Having had a good number of labourers of my own, I said there was

no labourer I had who could afford to lose a day to bring the produce of his garden, and carry back in his pocket eight or ten or eleven shillings; it appeared to me a very comfortable thing for those people."

Sweet simplicity !!!

I will not be chargeable, my Lord, with keeping back an iota of this witness's testimony. At page 294 the examination proceeds as follows:—

"How were those people dressed?"

"In the common negro way, the men with trowsers, and the girls with a petticoat and so on."

"You do not know whether they were dressed in the dresses allowed them by their masters, Osnaburghs?"

"I do not know; they were very comfortably dressed, not at all ragged, or showing any nakedness, except one or two. On their return after selling those things, I saw very great cheerfulness, more than I ever saw in any country in my life; I firmly believe I never saw a dejected countenance among the whole of them. As far as I could make an observation, I never saw a punishment; and they appeared to be all exceedingly cheerful and happy. I was most agreeably surprised, I must say."

"Did you ever see the negroes at work in the field, attended by their drivers?"

"Yes; I have seen them go in gangs occasionally."

"Did you ever see what is called in this country a cart-whip in the hands of the driver?"

"Not a cart-whip; I have seen little bits of things."

"Describe the appearance of the whip."

"There was a stick about, perhaps a yard long, and with one or two little tails of line, partly fagged out at the ends. It appeared to be more for show than any other purpose. It did not appear to me to be a thing to cause much pain."

"It was not such a thing as would be prepared for the infliction of punishment?"

"No."

"Did they appear merry; were they singing when they were at work?"

"Yes; they appeared to be all cheerful; some hard at work, and some idle at the work, for they are indolent. They used to work generally with a great deal of cheerfulness, but they required some person to stimulate them on to their work. If there were no keepers over them, I do not apprehend they would do any work at all, judging from what I saw."

"Do you conceive the cat used on board a ship is much more severe than that whip you saw?"

"Considerably so; that would cause a great deal of pain."

"Have you ever gone into a negro house?"

"Often."

"How did they appear to you?"

"Very comfortable indeed. To give an instance:—I remember

going into one, in particular, where there were decanters and tumblers and wine glasses, and spirits and wine in decanters; to partake of which they invited me."

"What class were those?"

"Slaves."

"Were they field slaves or tradespeople?"

"Common slaves, as far as I could judge."

"In a plantation or in town?"

"In the country."

"It was not the house of an overseer?"

"No."

Now I have given it fairly; and in connection with all the colonial party, I ask, was a lovelier picture or drawn of cheerful, happy, successful labour? No wonder that the gallant admiral was "most agreeably surprised:" had he closed his lips here, I should have shared his surprise, and all his agreeable sensations! Nay; I should have gone a step farther than even Admiral Halsted, and have been patriotic enough to covet so much happiness for ourselves!

"My father's beams are made of wood,
But never, never half so good,
As those that now I see."

There is, however, a something, an indefinable something, nobody knows what, which in spite of all its attractions, makes slavery unpalatable to genuine British feeling! Your Grace cannot forget the following pointed examination at page 299.

"On the last occasion you were resident four years in Jamaica?"

"Three years and four months I was there."

"At that time you considered the slaves happy and contented, not wanting for any thing, not over-worked, and upon the whole so well off that you thought they were better off than the peasantry of England?"

"Completely so."

"Would you think it advantageous to this country to extend the system you saw to the shores of Great Britain?"

"In the first place they must have a different sort of clothing here; they can go half naked; but the same system would not do here."

"Except in point of clothing, you would think it advantageous to the peasantry here to be placed in the same circumstances?"

"Their food is different; but with respect to other circumstances, they would benefit."

"It would be an inconvenience to them to be clothed as the peasantry of this country are, would it not?"

"Certainly."

"The question does not suppose they are to be clothed in the same way or receiving the same kind of food; but supposing the English peasantry had the same degree of comfort, and the same degree of food in point of quantity, you would think it advantageous that Englishmen should be placed upon the same system?"

"I believe there are many Englishmen who would be exceedingly happy to be put into the situation of the negroes in the West Indies."

"To become slaves?"

"No, not to become slaves."

"Will you state the reasons you have for thinking it would not be desirable to have the system of slavery prevailing in the West Indies introduced here?"

"I have never thought that the system of slavery would be a good thing for old England."

"You think that the slaves are better off than the people of this country?"

"I believe they are better off in many instances; that there is a greater attention paid to their wants."

"As you must have a tender regard for the country of which you are a native, how happens it that you do not desire to see the population of England in as happy a condition as the slave in the West Indies?"

"I should like to see the labouring population of this country in the same state of comfort; I speak from what I have heard of the state of the labourer here, whose pecuniary wages are extremely low, and which can hardly afford them any thing to eat or drink or to clothe themselves."

The witness is directed to withdraw.

The witness is again called in.

"Would you object to the introduction of the system before alluded to, including slavery as a part of that system?"

"Of course, as an Englishman, I cannot possibly advocate any thing like slavery in England; but what I mean to say is this, that there are, I understand, many people in England whose wages are so exceedingly low that they are not so well off, or so comfortable as the negroes I have seen in the West Indies."

"Objecting to slavery as you would naturally do, what is there that you know, or have observed of slavery in the West Indies to create so great an abhorrence of it?"

"With respect to the placing the people of this country in the same situation, there must be a difference as to clothing and that sort of thing; a man who is happy and comfortable in that country, according to the climate and provisions, is a great deal better off than he would be in this country."

"You consider slavery to be an evil?"

"There is no doubt about that."

"What have you observed of this system of slavery in the West Indies that creates in your mind so great an abhorrence of it?"

"I can only say that my feelings against slavery are, that no man as an Englishman can advocate any thing like slavery; but with respect to their comforts, they appeared to me as happy and comfortable as any people could possibly be, *doing away of course with the slavery*; I cannot conceive that that can add happiness to any people in the world; but I speak of their condition as they appeared

to me; they appeared to me in the lower class of society as happy and comfortable as any persons I have seen in that line of life, not excepting the people of this country."

It is apparent, though we cannot get at the bottom of the mystery, that there are, after all, though dressed up in her loveliest form, some peculiar incidents to slavery, which even the good admiral, bewitched as he is with her charms, cannot reconcile to the feelings of his heart; he cannot possibly "advocate any thing like slavery in England." "No man, as an Englishman, can advocate any thing like slavery." I entirely concur with him, nor, I am fully persuaded, will Admiral Halsted be more inclined to advocate this blessed state, when by the perusal of these pages, he learns the extent of the delusion which this transatlantic Circe has practised on himself! When he finds that one of her attributes is to raise a dark, impenetrable, mysterious mist around her abode, that shrouds all her horrors and oppressions from the unsuspecting eye of an English sailor although he may look out for them as keenly as for land, upon short allowance!

I acquit Sir Lawrence of all self interest; but I charge him with gross ignorance, and with all the inconsistency which gross ignorance begets. To the first charge he pleads guilty; and when I accumulate upon him his admissions of inexperience, he will be the first to ask himself, how he could incautiously have made such highly coloured statements as those already quoted.

His duty at Jamaica appears to have been that of naval commander on the station; and the opportunity of information which this would give him, has been already explained by Mr. Taylor:—it amounts to nothing. But to quote his own admissions,

"Has the slave access to the magistrates?"

"Yes, I believe so; I do not believe there is any obstruction to it."

"You do not know any circumstances which lead you to suppose, he has or has not means of ready access to the magistrates, to make any complaint against his master?"

"No, I do not perhaps exactly know how that is; but I should suppose there is an opportunity, if a man goes up and says such a thing has happened." (!!!)

"Were you acquainted with any gentlemen who acted as magistrates in Jamaica?"

"I do not know that any of those I knew acted as magistrates, I am not clear about that."

"Have you any knowledge of the manner in which the law is administered?"

"No not particularly."

"If the power was withdrawn from the manager of an estate to punish, without the intervention of a protector, would that interfere with the operations of the estate?"

"I do not know how they are punished; according to the arrangements of the country there are people there to see to it, and I am assured, that there shall be no greater punishment than that which they are sentenced by law."

This is a complete mistake; there is no such thing; but I shall advert to this part again: to proceed,

"Does the operation of a sugar estate require summary punishment?"

"I do not exactly know."—(Vide pages 296 and 297.)

Thus within two pages, the gallant admiral who has deposed so unhesitatingly to slavish happiness, admits not less than six times his absolute ignorance upon those cardinal points of punishment and redress for injury! I ask your Grace what more important ingredients can be found in the shallow cup of human happiness, than immunity from unjust punishment, and redress for its infliction?

Again at page 298.

"You represent that you were exceedingly anxious to enquire into the condition of the slave during your residence?"

"Yes; as far as I could, according to my situation, and for my own satisfaction. I could not go so deeply into it as persons in another situation."

And at page 300.

"You think that the slaves, so far as your observation has extended, had no reasonable ground of complaint?"

"As to the treatment, I had no opportunity of seeing." (!!!)

"Did you reside for any length of time upon any sugar plantation?"

"No."

"Have you ever resided at all on a sugar plantation?"

"I have been on a visit for two or three or four days. I was over on the north side in St. Ann's. I think I slept three or four nights at a Mr. Parke's. I never saw him before or afterwards."

"Does the general opinion you have delivered of the condition of the slave population relate to the common field negroes, or to the other class mentioned?"

"To all those that I have had an opportunity of observing."

"Including the common field negroes?"

"Yes; I never was in the field when they were at work. I have seen them go in gangs, but I was never in the field attending them."

"You have never seen the gangs at work for any length of time?"

"I do not remember that I ever did; but I have seen the gangs going to their work and returning from it."

"Did it ever happen to you to be sufficiently early to see the negroes go to their work in the morning?"

"Yes; I have seen them pass by; I have not been in the field; but I have seen the gangs going to work, and I have seen them returning."

"Are you aware that they are allowed a certain time for their dinner?"

"I always understood so."

"Did you ever see them at dinner?"

"No; I do not recollect that I have."

"Do you know what means they have of getting their food?"

"No; I cannot speak to that."

"Do you know whether they are ever employed in grass-picking or throwing, as it is called?"

"Grass-mowing they are employed in."

"Are they employed in that during the dinner hour?"

"Not that I recollect; I always understood that they had regular times for their meals, like other labourers."

"At night when they leave work, do you know whether they do or not mow grass, or collect fodder for cattle?"

"I cannot speak to that, not having been present when they were cutting grass."

"Do you happen to know how the fodder for the cattle is collected in Jamaica?"

"No, not particularly. I have seen it on donkeys' backs, and brought in carts; but I do not know particularly how it is collected."

"It must have been previously collected by manual labour?"

"Yes; but I do not know at what time; they cut grass with their reap hooks, I believe, as we do our wheat and barley. They are employed occasionally in picking grass."

Thus he admits that he "has had no opportunity of seeing slave treatment," that his acquaintance with a sugar plantation is limited to a three or four days' visit, and that of their field labour, or their hours of relaxation, he is wholly ignorant! Is he less avowedly so in other equally important matters?

Turn to page 302 and 303, for his experience as to the hours of labour.

"Do you not think that the care of the slaves and their families before and after the work, as well as during the period of their servitude, fully compensate for the work they do for their owners?"

"I am not sufficiently a judge of the work they do to answer that question satisfactorily."

"Do you know how many hours the slave is compelled to labour in crop time and out of crop time?"

"No, I do not."

"Or the difference of the number of hours in and out of crop?"

"No; there is a difference, I know, in crop time; it is much about the same in that country as it is in this during harvest time; they work sooner and later, but I do not know what the difference is."

"Do you know whether there is any night work required of the slave?"

"In crop time there must be night work,—to attend the boilers, and those things, I should suppose."

"You do not know the amount of their work?"

"No, but I know they do work at night—that they relieve each other in gangs; but I believe it is absolutely necessary that they should work at night in boiling the sugar."

"Is it within your knowledge that a certain time of respite from labour is allowed by law in Jamaica?"

"I do not know exactly how that is, but they are allowed a certain proportion of time for their meals; I do not know what the provision of law is, but I speak to the fact, that they are allowed time for their meals."

"In crop time as well as other times?"

"I believe so, for the people must have time to eat, or they would not do much good for their masters."

"You stated that you had seen gangs go out to work; at what time in the morning have you seen them?"

"Perhaps at six or seven o'clock. I cannot recollect exactly."

"Was it after your gun-fire?"

"Yes; certainly after that."

"Do you recollect the hour at which you saw them returning from work?"

"I should suppose about six o'clock in the afternoon, as nearly as I can recollect. Unless I saw any thing very particular to notice, it did not make an impression upon my mind; but I used to see them returning after we had got up from dinner, and walked round about the grounds—six o'clock perhaps."

What is it that the witness *does* know, to entitle him thus to speak, *ex cathedra*, upon negro comforts? He avows his inexperience as to punishment, redress, general treatment, field discipline, hours of labour, or hours of relaxation, even in crop! May not the gallant admiral be equally uninformed as to the general system of hospital treatment, food, clothing, lodging, and coercion? Is it not possible, that here too, a closer investigation of "his opportunities," would have told him that he knew nothing to entitle him to comment on the condition of a million of his fellow creatures? and still less to pronounce on the important point of alteration. I think it not improbable that he will himself gape with surprise, to find that he is thus self-convicted: he may even possibly, by this time, ask himself the question, whether upon his four days' visit to a sugar plantation, it was reasonable to expect that his host would treat him with a serenade of negro-wailing, or scourge his gang to their daily labour, for Lady Halsted's amusement?

I am too familiar with the examination of witnesses not to be aware of the unconsciousness with which at times they will give the most contradictory answers; but I have invariably found that such self-contradiction springs either from a dishonest wish to keep something back, or from the foolish vanity of seeking to

appear well informed, where it would be no reproach to avow total ignorance.

There is a good-heartedness apparent in the tone of the witness, which forbids my charging him with wilful misrepresentation. I ascribe his inconsistencies to a careless inconsideration. He was not himself aware how superficial was his colonial knowledge, and still less that many a man in England, who has never quitted its shores, understands the controversy a thousand times better than himself!

As a casual specimen of his thoughtless answers, I will refer to page 295. In reference to a visit which he had made to the slave's house where he was offered wine, he is asked,

"Did you go by yourself, or in the presence of the overseer?"

"I have in some instances gone by myself; but in the instance I refer to there was a gentleman with me. He was not with me when I went into this house I refer to."

Your Grace will observe that this is sheer nonsense; but is a witness, and a witness too, of high naval rank, to be allowed to chatter nonsense upon oath when the object is to inform the Legislature?

I have already quoted his evidence at page 294, where, speaking of the slaves, he says they were "very comfortably dressed, not at all ragged, or showing any nakedness, except one or two." This is in direct contradiction to his answer at page 299, already quoted, and repeated in substance at page 300, where he denies the applicability of the system to the peasantry of England, because, he says,

"In the first place they must have a different sort of clothing; there they can go half naked, but the same system would not do here."

Can both these statements possibly be true?

In the same page, 294, I find the following statements:—

"Did you ever see the negroes at work in the field, attended by their drivers?"

"Yes; I have seen them go in gangs occasionally."

And, a little lower down,

"Did they appear merry? were they singing when they were at work?"

"Yes; they appeared to be all cheerful; some hard at work, and some idle at the work, for they are indolent. They used to work generally with a great deal of cheerfulness, but they required some person to stimulate them on to their work. If there were no keepers over them, I do not apprehend they would do any work at all, judging from what I saw."

Can your Grace reconcile these replies with the following explicit answer, already quoted at page 109?

"I never was in the field when they were at work; I have seen them go in gangs, but (repeating it, as if determined there should be no mistake) I was never in the field attending them."—(Vide p. 300.)

And, in the following page, he reiterates his denial.

"I have *not* been in the field."

Which again of these statements is the correct one?

And in the last answer but one, you will perceive he describes the slaves to be "indolent." He repeats it at p. 303.

"There are a great many indolent negroes that I think hardly any thing would compel to do any work; there is a natural indolence about the negro which one cannot help observing."

Yet, in the very same page, he tells us that he "thinks there are very many inclined to industry"! The use of the numerical noun may allow of these last passages being *literally* consistent; but their spirit is directly opposed.

An occasional variation is very pardonable, especially in a long examination; but these constant alternations of opinion, and now and then of fact, are not so easily forgiven. I will furnish your Grace with another, upon a point of no small importance. He is asked at page 294,

"Did it ever come to your knowledge, or did you ever hear, that any pressure or hardship is used towards young women to make them submit to the licentious desires of their masters or others over them?"

"No, never. The gentlemen of that country, I think, are far different people, and as respectable and as virtuous in their ideas and habits as any I have seen in society, at least those whom I was acquainted with."

Let this be compared with the following answers at page 304. Your Grace will not fail to notice, not merely the glaring inconsistency of these passages, but their not less striking accordance, almost ad literam, with the evidence of Mr. Baillie upon the same subject!

"You have expressed an opinion, as to the state of morals in Jamaica, that the gentlemen of the country are as virtuous as any in this country?"

"I do not say as virtuous, but as well-disposed, as any I have observed in any society in this country. There may be persons that I know nothing about; but, as to all those I have been acquainted with, their ideas were just as fine and as correct in respect of that sort of thing as any I have seen here."

"Was it or not the common practice for all persons in authority on the estates to keep mistresses?"

"Not that I know of; I have heard of some."

"Is keeping women more common there than in England?"

"Not a bit more common, I believe, than in this country; such things will occur there as well as here, no doubt."

"Can you state an instance of any person in authority on any plantation who did not keep a mistress?"

"I do not know any myself; there were two or three I believe that did, but I know nothing about it."

"Can you name any person who did not keep a mistress, or more than one?"

"I never asked them; all I can say is, that those gentlemen alluded to I know but little about. I had no acquaintance with any matters of the kind; it is a subject I never troubled myself about, and cared as little. *It is possible that they might or might not.* They did not publish it."

Sir Lawrence, however, does not uniformly agree with Mr. Baillie. It is not my present purpose to contrast the witnesses with each other; but this is so remarkable an instance of mutual contradiction, that it tempts me to anticipate that duty.

"Have you ever found that the negroes objected to your visiting them in their houses?"

"No."

"You saw no jealousy on their parts?"

"Not a bit."

"Did you ask them their consent to go in?"

"They were generally outside. They asked me, 'Will you come in?'"

"Were you in your uniform, or in plain clothes?"

"In plain clothes."

Your Grace will not have forgotten Mr. Baillie's evidence at page 33, respecting the jealousy of slaves of all approach to their huts.—(Vide above, at p. 43.)

Sir Lawrence's inconsistency is not exposed by his own evidence alone, or by the contradictions of others, but, as he will doubtless be surprised to learn, both by the law and practice of the colony! His answer at page 297 has been already quoted.

"According to the arrangements of the country, there are people there to superintend the punishment (inflicted by the owner), that there should be no greater punishment than that to which they are sentenced by law!"

This is certainly a bright discovery for a man who tells us at page 321, that he "never heard of a council of protection"!!! I believe that there never was such a thing heard of in Jamaica, as this appointment of superintendents to restrain the manager's punishment of his slave; unless, here and there, some such arrangement may occur, perchance, in the plantation-economy of a humane proprietor like Mr. Wildman.

If such *only* was his meaning, he ought not to have expressed himself in a manner implying that this arrangement is a matter of colonial police; thereby conveying a false impression of the tenderness of colonial law in controlling the punishment of slaves.

I cannot in this case follow my usual plan of concisely summing up the witness's evidence. It will have been seen that, *if he speaks correctly*, it is a fallacy to talk of the privations or sufferings of the slave! Words cannot give a more favourable idea of their condition. His language is too strong and too decided to admit of explanation or reply. If Sir Lawrence Halsted speaks the truth, Jamaica is the slave's paradise. Without imputing to him the foul charge of perjury, I have convicted him, out of his own lips, of ignorance so gross as to make all that he has said go for nothing. At least, I know how such evidence will be regarded outside your Grace's House; and there, after all, is to be found that high tribunal by whom this solemn issue will be decided. For Admiral Halsted I have only to regret that, before he entered the witness-box, he did not more narrowly examine the source of that feeling, which made him indignantly repel the introduction of slavery into his native country. It might have saved him much pain, and me much trouble.

It is somewhat malicious to *introduce* a witness, *swearing* to a schoolboy's error. At page 394 will be found the following extract from the examination of

LIEUT.-COL. ALEXANDER MACDONALD.

"At what time of day were those schools opened and attended by slaves, if by slaves at all?"

"As far as my observation went they generally went to school very early in the morning, and returned before sun-rise. I do not think they ever remained at school after two or three o'clock in the day, as far as my impression goes."

"Do you mean that they went in the dark?"

"No; at Jamaica it is daylight there before eight o'clock in the morning, and the sun does not show in Jamaica before eight o'clock."

"You mean that the slave went about four o'clock in the morning, or between four and eight?"

"I cannot say minutely."

"Do you mean that from four to six they went and remained at the school till two?"

"No; they went home at intervals. I think once they went to school early in the morning, and returned I think about eight o'clock—went to school a second time, and I think were never in school after three in the day."

"Do you mean to say that they were excused by their masters from labour in the interval between eight in the morning and two o'clock?"

"That is a question I cannot answer. They are young children; they are not made to work till a certain age."

There is a vast deal of confusion here, in answering a very simple

question. Had Col. Macdonald recollected that the latitude of Jamaica is only 17° , he could never have been guilty of the gross mistake of supposing that there were four hours' morning twilight. And had he also recollected that he was answering upon oath, he would have taken time to recall his geographical knowledge. The simple explanation of it all is, that he spoke without thinking, on a point on which he had no personal information, and thus has convicted himself of absurdly, for it is too absurd to say intentionally, swearing that the sun does not shine at broad day! I have no purpose however of impeaching the Colonel's general accuracy, much less his honesty; for, excepting a foolish reference to the opinions of military men, who, next to the planters and bishops, are perhaps the worst judges in England upon such a subject, I consider him one of the most favourable witnesses that have appeared on the side of immediate emancipation. He seems to have given his evidence manfully and fairly; and that evidence, though of no value as respects Jamaica, where he was only a temporary visitor for a short period, is invaluable as regards Honduras.

Colonel Macdonald was nearly nine months in this settlement, and the commandant for six. It extends about 270 miles along the coast; the white population being between 600 and 700, all English; and the coloured and black population being about 5300. The Colonel's description of this settlement is so interesting, as well as instructive, that I shall extract the greater part of it.

"What are the various descriptions of field labour carried on there?"

"The only labour is getting mahogany and logwood."

"Is any sugar raised there?"

"No; it is prohibited. Sugars and coffee of the first quality could be raised."

"Is there much of cultivation prohibited, except for the common and ordinary necessities of life?"

"The only cultivation prohibited is sugar and coffee; but the sugar, the cultivation of which is prohibited, is so burdened there that they cannot cultivate it as they would. The flour comes from America."

"Describe the process of felling, squaring, and transporting the logs of mahogany?"

"The negroes are divided into gangs; there is a man called a captain, who superintends each gang, and a task is assigned to each negro; that task is generally finished between one and two o'clock in the day, and the remainder of the day is employed in cutting logwood, which he sells to his master or to any other person, whoever gives him the highest price."

"For his own advantage?"

"Yes."

"Honduras is a dependency of the government of Jamaica, is it not?"

"It is."

"Those negroes who fell the trees are slaves?"

"They are; and each has a task assigned to him, generally one tree, which he cuts down before two o'clock; they are hardly ever at work after two o'clock; the rest of the time they are employed in cutting logwood, which they may sell to the highest bidder."

"Are slaves in general well treated?"

"I never saw any peasant better treated in any country I have been in in my life."

"Have you been in their houses?"

"I have on several Honduras plantations sat with them when they were at breakfast and dinner, saw their messes made up, saw their pork and flour issued to them."

"Are their messes good?"

"Excellent. During the time they are employed in the mahogany works pork and flour are always issued to them; they hang the pork in their cottages, and they hang the flour up in bags, and when they return during the holidays to Belleize they dispose of their flour and pork; but on many occasions they enter into a contract with their masters, that when they go to their work he is to give them so much money for their rations during the time."

"Do those slaves collect any money to any amount?"

"Yes. I have never known one of them during the time I was at Honduras wish to purchase his freedom; and I know the sexton in the chapel at Belleize, though a slave, never would receive his freedom, for the reason I have assigned, that when he became old there would be no person to take care of him, and that now his master would be bound."

"Have you ever seen any punishment inflicted upon the slaves at Honduras?"

"I never did, and I never would allow a lash to be used under any circumstances when I was there."

"Had you, as governor, the power of preventing a slave owner flogging a slave?"

"Undoubtedly, for I received every complaint during the time I was there; there was never a common complaint I did not receive; and I turned an officer out of the militia, a lieutenant, because he struck a woman with a whip, which he happened to have in his hand."

"Does the captain of the gang carry a whip for coercing the negroes to labour?"

"Never."

"Is there a regular church establishment at Honduras?"

"There is."

"A regular rector and clergyman?"

"Yes."

"Is much attention paid to the religious wants of the slaves?"

"I think more so than even for the peasantry in England."

"Are the slaves in the constant habit of attending church on Sundays?"

"Constantly; there is a schoolmaster and a school establishment, and twice a week I visited the school with the clergyman myself to see the progress of the boys at school."

"Are those children who attend the schools slaves or free?"

"Some free, a great part slaves."

"Do you find that the parents of the children have any disinclination to their children being educated?"

"Very seldom indeed."

"Can you inform the committee what is the judicial establishment in that settlement; is there a judge?"

"There is no judge."

"Are there any courts at all?"

"Yes, there is one court; there is a legislative meeting, grand and supreme, and it depends entirely upon the opinion of the legislative meeting. The only law there is the law of equity; there is no judge."

"Suppose an offence is committed, what person has the trial of that offence?"

"The superintendent and magistrates; there are seven magistrates annually elected by the people, by the coloured people and the whites."

"Who are the electors?"

"The people of property there."

"Are they all free people?"

"Yes."

"Do you mean that the slaves have votes as well as the freemen?"

"No, not those that are slaves; only the free people, whether of colour or white."

"Is there a very large population of colour?"

"Yes, a great many. The coloured people prevail, and they are highly respectable, and many of them have been educated in England. The whites are persons of respectability who have gone out from this country."

"From what class of free people are the magistrates generally chosen?"

"Generally from the higher order, from their respectability and standing in the settlement."

"Are people of colour eligible to the magistracy as well as white people?"

"They are now."

"Were they so during your government?"

"They were; I was myself the first that gave them the freedom of white people when I went there."

"How came you invested with powers that give such authority?"

"I will state candidly why I did it. I found that by my predecessor the coloured people were treated very ill; and I found they were men of education, and who had a right to the privileges of white people; and I gave them commissions in the army. I did it entirely on

my own responsibility; and am happy to say that Sir George Murray, who was secretary of state for the colonies for the time, approved of it."

"The superintendant is the governor?"

"Yes."

"How is the negro punished, as the master has no power to do so?"

"He is put into gaol, and for very heinous offences chained sometimes, and sent to the government works like convicts in this country."

"What is the nature of the government works?"

"Clearing the ground in the neighbourhood of the barracks."

"Does government cut any mahogany on her own account?"

"None."

"Is there any corporal punishment inflicted upon the slaves in Honduras generally?"

"At one time they did punish them for serious offences, but now that is entirely given up."

"What description of punishment is substituted for corporal punishment?"

"Confinement in the gaol for so many days on low diet, and employing him on the government works."

"What was the description of corporal punishment to which they were liable formerly?"

"I think for a very serious offence they got nine-and-twenty lashes."

"With what?"

"With a kind of cat-o-nine-tails."

"Have you ever seen the whip used there?"

"I have seen a whip that had been used, but I never allowed it to be used myself."

"You say negroes cut logwood in after hours; do they make much by the cutting of it?"

"Each negro generally comes down to Honduras with from ten to fifteen pounds, and sometimes twenty pounds, currency, from cutting logwood."

"How long has he been cutting that?"

"About three months."

"Do you consider that the negroes show a good deal of industry in their cutting of logwood?"

"Yes, they do."

"Do you think if they were emancipated they would still continue to do so?"

"No; I think they would all go wild if they were."

"Which is the heaviest, mahogany-cutting at Honduras, or the work of a field negro on a sugar estate?"

"Mahogany-cutting, decidedly."

"You say that the natives from the Mosquito shore hire themselves to the mahogany-cutters; what rate of wages per day do they get?"

"Three quarters of a dollar, and some a dollar; it is very hard work; when they are shipping mahogany for England they give them three quarter dollar."

"Are they employed in felling and shipping?"

"In the felling and the shipping."

"Do those men appear more capable of labour than the negroes?"

"No, they are not so able bodied; the negroes of Honduras are the finest population I ever saw in my life."

It appears singular to give an opinion on the subject of emancipation so utterly inconsistent with the facts that the witness had been previously stating.

At page 314, the topic is revived; and the Colonel, when hard pressed, betrays the usual inability of colonial witnesses to reconcile the very contradictory averments, that the slave is at once industrious, and yet unfit for freedom. But more of this presently.

"Are the slaves in Honduras discontented?"

"I think not; I never saw any thing like discontent among them; and as a proof of it, as far back as the year 1797, when the colony was attacked by the Spaniards under General O'Neal, there was a reward of 200 dollars, and their freedom offered to them; but not one of them would join; they all fought and behaved remarkably well."

"Are there any missionaries there?"

"There are two."

"Of what sect are they?"

"One a Wesleyan, the other a Baptist."

"How long have they been resident there?"

"I think about four years, both of them."

"How do they principally employ their time?"

"They are principally employed in preaching on Sunday. I never interfered with them; I allowed them to have the exercise of their own judgment."

"Do they give religious and moral instruction to the slaves?"

"Yes, they do; and, in my opinion, *have done a great deal of good in many parts of the West Indies.*"

"Where did the slaves come from originally?"

"From Jamaica; the first settlement was on the Mosquito shore; another was in Honduras, and in the year 1792 or 1793 they removed from the Mosquito shore and came up to Honduras, and settled there."

"Those that came from Jamaica were either Africans or Creoles?"

"They were a mixture of Africans and Indians that came from the Mosquito shore to Honduras; there was a mixture of blood while they were on the Mosquito shore."

"Are there any fresh importations of negroes now?"

"No."

"Do they keep up their number?"

"Yes, they do."

"Do they increase?"

"Very little."

"They do increase?"

"Yes, they do."

"Have you a due proportion of population?"

"The proportion of women is so very small, that I proposed to Admiral Fleming to recommend it to Sir George Murray to allow so many women to go from the Havannah to Honduras annually, and to be distributed in the great gangs, to prevent the people from deserting, and also forwarding the cause of humanity by taking these poor creatures from the Havannah to Honduras." (Vide page 313.)

"Was it proposed that they (alluding to slave women taken on board prize ships) should be carried into the Havannah?"

"My proposal was, that they should be sent down a few at a time to Honduras, and married to the slaves, and clothed by the masters."

"Would the children be free or slaves?"

"Free, I apprehend."

"Without this the slaves keep up their numbers?"

"Yes."

"Are they licentious?"

"No; I think they are a very superior class of people to any I have seen, and next to them are the people of Saint Kitts."

"Do they live in houses of their own?"

"Every one has a separate hut."

"How do those live who have no family?"

"The man has still a hut—he has a fowling piece; they are called hunters; and about twelve o'clock in the day they generally send out two or three hunters; these come home with game of every description, and they live entirely on game and fish." (Vide page 314.)

"The power which the Jamaica slave law gives to inflict thirty-nine lashes, you state, is never now exercised?"

"Never at Honduras, without the approbation of the superintendent."

"Has the superintendent, in any case, refused his approbation?"

"Yes; and female punishment is entirely done away with."

"You were understood to say that corporal punishment is done away with altogether, both with males and females?"

"It was entirely in my time; and I believe Colonel Cockburn has so settled it, except in very strong cases."

"You think it has been restored, in some degree, by Colonel Cockburn?"

"Only in an extreme case, according as a man would be tied to the tail of a cart here for a heinous offence."

"The power of flogging is now withdrawn from the master of a slave at Honduras, is it not?"

"Yes; it is entirely in the hands of the superintendent."

"Having been transferred from the master to the superintendent in Honduras, do you see any objection in Jamaica, or any other island, to its being also transferred there from the master to the magistrate or the superintendent?"

"I see none whatever in Jamaica. I think it ought to be in the hands of the proprietors of the estates at Honduras; it is within a very narrow compass, and the superintendent has every thing under

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his own control—under his eye; but in an immense island like Jamaica it would be impossible for the governor or deputy governor to superintend the whole."

"How can the superintendant have under his eye a district extending 200 miles along the coast, and 300 miles up the country?"

"There is only one settlement, and they come down periodically; and if the superintendant receives their complaints, which he ought to do, they immediately go to him when they are squaring their mahogany, which they are for two months."

"Have they the means of coming down when they are up the country to make complaint, should any grievances arise?"

"No; but during the time I was there I do not recollect that I ever received a complaint worthy of attention with respect to cruelty."

"Is marriage common there?"

"It is very common now."

"Are they ever much left to themselves up the country?"

"Yes."

"Does the master go with them?"

"He goes with them every morning."

"Would you have any objection to abolishing the power of flogging women?"

"I think flogging women ought to be entirely abolished; there is something so very revolting, and the effect altogether is so disgusting, that I am sure it would have a very good effect, instead of having a bad effect. The people of Honduras wish to do away with the inhuman custom of flogging women."

"You say that amongst the negroes a number are out hunting?"

"There are so many men, good shots, selected; these are called hunters, and go out in the morning."

"They are constantly armed?"

"They have a fowling piece given them by their masters, and powder and shot whenever they come down at the holiday, which is December; it is called fourteen days, but it is generally three weeks; then they go up with a fresh supply of provisions and powder and shot again."

"Do the white people live under any apprehension of the powder possessed by those slaves, when armed and at a distance from the regular troops?"

"Never; I have never discovered the least appearance of alarm."

"Did you find it necessary to punish the detachment of the black regiment you had more than a detachment, of whites?"

"No, not at all."

"They were not specially addicted to drinking?"

"I think not; or indeed not so much as I am afraid white people are in those climates."

"Where had this regiment been recruited?"

"From Africa."

"Were they serving as slaves in the army?"

"Oh dear no."

- "They were recruited as free men in Africa?"
- "Yes. I can hardly say how they are taken in Africa, but when they come to the West Indies they are as free as our own."
- "They were orderly in their conduct?"
- "Very much so indeed."
- "They gave you very little trouble?"
- "I had no trouble with them."
- "Is marriage common among the slaves?"
- "Of late years."
- "Is it encouraged?"
- "Very much so now."
- "Is it encouraged by a premium?"
- "They get a regular licence; they go through the same form as white people."
- "Is any reward given them upon marriage?"
- "No, not at Honduras."
- "Are they contented in the marriage state, and faithful to their wives, or do they wish for change?"
- "I think they are faithful in general."
- "Do they every apply to be unmarried?"
- "No."
- "Is their morality increased by their marriage?"
- "I think so."
- "Are the non-commissioned officers of the detachment black or white?"
- "Black."
- "Can they read and write, generally?"
- "Yes, most of them can."
- "Where have they learned?"
- "With the regiments; there is generally a white serjeant-major sent down from the regiments in the West Indies: they have regular schools, as regularly carried on as any schools in the service."
- "Do you suppose that many of those men can read and write?"
- "I know that they can."
- "You do not find any difficulty in selecting non-commissioned officers?"
- "No; and when they are steady men they are the most faithful men I have known."
- "Are they men of veracity in general?"
- "Yes; very much so."
- "Are they honest?"
- "Yes; but when they go wrong they are very bad, they are quite incorrigible; but, generally speaking, they are very obedient."
- "Are there schools amongst the slaves at Honduras?"
- "Yes."
- "Any for adults?"
- "Yes."
- "Do any adults read and write?"
- "Yes."

"Do you know many that do?"

"Yes. I used to visit the school twice a week, and examine it myself; it was quite extraordinary, their progress."

"Have the slaves any provision grounds?"

"Each a plantation, where they raise vegetables of every description."

"What is the quantity of land allowed to them?"

"There is no precise limit; they may form their garden as they like."

"Is it from that they derive their provision?"

"From that, and game; they live entirely on that in the mahogany season."

"There is none found by the master?"

"No."

"Are they clothed by their masters?"

"Entirely."

"Of what does their clothing consist?"

"The clothing consists of three suits yearly; it consists of a jacket of nankeen. Their dress is pretty similar to that of the peasants of this country; then they have over their other clothing a sort of smock frock."

"Has he a shirt next his skin?"

"Yes."

"Of what material is that shirt?"

"A check shirt, such as the sailors have."

"Of check calico?"

"Yes; and trousers made of a sort of thick canvass, a sort of linen; but on Sunday and during the holidays there are no peasantry in this country nearly so well dressed as they are."

"In what costume do they dress themselves? like the European?"

"The better order of slaves, confidential men, wear just such a coat as I do, and white trousers, and shoes and stockings; and the women are beautifully dressed in white. It is the most interesting scene in the world during the holidays; each gang has a band of music of their own, and parade the streets for three days, and dance; and there are no peasantry in England, the women particularly, that I have ever seen half so well dressed as they are."

"The common negro has a jacket which he commonly wears when at work, a shirt of checked calico, and trousers of a strong linen; has he shoes and stockings?"

"I think not."

"Has he stockings?"

"Stockings they hardly ever wear; they may have them if they like. It is a difficult thing to get a soldier of this black regiment to wear shoes or stockings; they must wear them when doing their common duties with their corps, but the servants I had in the government house I never could get to wear shoes or stockings."

"They are provided by the masters?"

"Regularly provided."

"What is the expense of this clothing?"

"The kind of shoe they wear up the country is called mocassin; it is made of a piece of hide, and tied round the foot. I have worn them when out shooting; it is the pleasantest kind of shoe in that country; they make them in this country now, and send them out."

"Is it similar to that worn by the slaves in Jamaica when up the country?"

"Yes."

"Is the negro allowed more than one suit in the year?"

"At Honduras there is no regular allowance of clothing at all; when they come down, if they have worked well, they get what they like. I have known a negro dispute with his master, and get sulky, because he did not get a twenty shilling hat instead of a ten shilling hat."

"What do you conceive to be the annual expense of this clothing?"

"I conceive the expense to be altogether 51*l.* or 52*l.* currency, for each slave; the clothing I think could not be done under 10*l.* currency, every thing included; about 7*l.* 10*s.* sterling."

"Is the currency at Honduras the same as that in Jamaica?"

"Yes."

"You say that the men have brought sometimes 10*l.* or 15*l.* when they have come down; what have they done with it?"

"They have laid it out in fancy things and dresses, and fine fowling pieces."

"Have you ever known them purchase their freedom?"

"I never knew an instance of it."

"Have they the option of doing so?"

"Yes, constantly; they have the power; if they were discontented they have the power, if their master does not treat them humanely, of going before and complaining to the superintendant; and they have the power of being sold to any person they like. The master gives them a paper, stating the price upon the paper."

The sum of this statement is, that the prohibition of sugar cultivation, the abolition of corporal punishment, a liberal allowance of time, and attention to religious improvement and general education, the encouragement of marriage, and on the whole, a general confidence in the slave, have raised him to a high standard in Honduras, as compared with his class elsewhere; and have reduced the bonds of slavery to the lightest possible weight. All this is natural, and as it should be; and it is for this that the abolition party has been contending for many years; the colonists deny it roundly; the colonial peers will not hear of it; your Grace's colleagues believe, but fear to act upon it: and yet, in the face of all, a witness produced by the colonists themselves, and speaking too with a strong colonial bias, is the first to record the fact upon testimony, which his party at least cannot dispute, for they brought him before your committee! I will not deny that Colonel Macdonald himself arrives at an opposite conclusion. I promised to examine this evidence free from anti-slavery prejudice, and I will keep my word: but I

am at liberty nevertheless to examine the sufficiency of that reasoning, by which a witness arrives at a conclusion directly opposed to his own admitted experience.

"You have stated the fact of the negroes, being slaves, exercising their industry during a portion of their time, the other portion being devoted to the service of their master, and greatly to their profit; how do you reconcile that fact with your opinion, that when they could command the whole of their time they would not exercise similar industry?"

"I think that has been shown on so many occasions, that when they are free from their own masters they must be governed by some sort of authority. I think we have an example of that in St. Domingo."

"The question does not assume that they are not to be subject to authority, but supposing they were subject to legal authority, instead of to the arbitrary will of their masters?"

"I think their habits are naturally licentious; and that if these people, in their present state, were free, it would be morally impossible to keep them together,—to keep them in any order."

"Do you mean if subject to legal restraint?"

"If they were not subject to legal restraint."

"Is it your opinion that they might not be kept in order?"

"They might, if they were a little more enlightened than they are at present."

"Do you mean to say that they might not be kept in a state of tranquillity and good order by legal restraints?"

"I think not in their present state."

"How is good order and discipline preserved at present?"

"They are kept in order, because they know that they are still subject to the will of their masters—subject to control; but if they were left entirely to their own will, I think that they would not work at all—that they would get licentious in every sense of the word, and that it would end in anarchy."

"Supposing them to be apprenticed, and subject to strict laws as to their conduct, is it your opinion that they would in that case, ceasing to be slaves, be disorderly?"

"Yes, it is indeed; because then I think, under those circumstances, the master would lose the interest he now has in them."

"What is there in the power and in the control of the master which is more effectual for preserving good order and discipline, than that which the law might impose?"

"In the first place, the slave laws bind those people to a certain limit; if those slave laws were done away, they would be entirely subject to their own will and wish. I conceive that the master would have nothing to do but bringing these persons constantly before a court of justice."

Setting aside the reference to St. Domingo, still a vexata questio, and therefore of no authority, does your Grace consider this reasoning to deserve the name? The second answer does not meet

the question: nor do we arrive at any reply to it, till we get to the fifth answer; and then, when urged beyond escape, he thinks that legal restraints would *not*, in the present state of the slaves, preserve good order. He is very naturally requested to account for the good order now existing:—perplexed by this pointed enquiry, the witness first stammers out something about “subjection to the will of their master,” and “control;” but suddenly recollecting his previous admission, that there was no private will or control now permitted, he abandons this ground, and reverts to his former position, which nobody ever disputed, that if “left entirely to their own will;” if “slave laws were done away;” if “they were entirely subject to their own will and wish,” *then* order and discipline could not be maintained! And who ever supposed they could? Not I, my Lord Duke, and I believe I am the ultra abolitionist of the party. In giving these replies, the colonel *evades* instead of answering the question; yet that question is very simple: would not legal restraint keep them in order? and if not, why not? To this hour *that question remains unanswered* by him, or any body else. Again and again it is parried, fenced with, shirked in all possible ways, and at last always thrust aside by some happy diversion! but argued, or answered, it never is! I will defy the most dexterous logician to extract an answer from the colonel’s argument, if such it can be called; but it seems “their habits are naturally licentious;” and what people on earth are otherwise by nature? The question is not, whether they are *naturally* licentious, but why magisterial restraint should be inoperative to restrain *their* natural dispositions, though it can secure the peace of every town in England, excepting Bristol.

The whole controversy rests here, Sir, and any thing more amusing than the wriggling of a West Indian impaled upon this stake, I cannot conceive; the barbarous sport of spinning a cockchafer approaches nearest to it. Does the slave maintain himself by his industry now? Why should he be idle when free? or disorderly if subjected to magisterial authority?

Oh! the slave is naturally indolent.

Then how do you get him to work at present?

Of course there *must* be some coercion.

Then coercion must be severe to make a naturally indolent man work hard?

Oh no; it is all child’s play!

Then why do you object to the order in council?

And thus driven from pillar to post, the colonist at last flies for resource to the old sing song of “sanctioned purchase, and “vested rights.” Men like the colonel stop short of this; they find their refuge in that ingenious syllogism, which ill-nature ascribes to old women, and custom defines to be “arguing in a circle.”

There are two facts supplied by Colonel Macdonald, of great importance: the first is, that at Honduras, notwithstanding a great disproportion between the sexes, the slave population maintains its numbers, and even increases!

The other is scarcely of less moment; especially at the present time: "The missionaries *have done a great deal of good* in many parts of the West Indies."—(Vide pages 312 and 313.) Yet it is a military man who speaks, my Lord:

It is also worth remark, that he bears strong testimony to the competency of Admiral Fleming; he speaks of him as a man that "knows more of West Indian affairs than any body else." This will be usefully remembered, coming as it does from the enemy's ranks, when we are dissecting in a future letter the evidence of the gallant admiral.

I here take my leave of Colonel Macdonald; whom I should not have classed among the colonial witnesses, had he not been called by that party, and in some degree identified himself with them, by adopting their objections to emancipation, notwithstanding his own decided experience in favour of it.

I need scarcely remind your Grace of the understanding between the members of the committee, that Jamaica should occupy their attention, in the first instance, to the exclusion of every other colony;

THE REV. JAMES CURTIN,

appears however to have been considered a godsend not to be thrown away; and, lest he should return to Antigua without contributing his mite to the good cause, the committee departed from the proposed arrangement expressly to give him the opportunity. It may be inferred that Mr. Curtin's evidence was regarded as especially valuable; and certainly, if the quotation of it is well backed, as assuredly it will be, by "one and thirty years' residence"—"a missionary sent out by Bishop Porteus"—"testimonials from the Negro Conversion Society," and so forth; it may tell for something with those who do not trouble themselves to enquire farther into the matter;—your Grace however, by this time will, I fancy, think me not very unreasonable, if I am not quite satisfied by this favourable introduction of Mr. Curtin. I shall let him off, however, more easily than might be expected; first, because, of course, I am not able to expose him so thoroughly now, as I know I shall be when Antigua forms the regular subject of your enquiry; but principally because nothing can be more (unintentionally) harmless than the Rev. gentleman's testimony. There is not, to be sure, to be found about him that same endearing simplicity which so much won upon the affections in the case of Sir Lawrence Halsted;

nor yet the artless, downright, assurance of the straightforward Mr. Baillie. I cannot even find traces of the praiseworthy scrupulosity of Mr. Hinchcliffe. But still Mr. Curtin is not without his attractions; a certain patriarchal sobriety of tone and manner characterizes him throughout. Now and then, it is true, it seems nearly allied to drowsiness. At times he too much resembles a child muttering the concluding lines of his lesson, in the semi-conscious interval before he gets to rest: but, on the whole, he is solemnly impressive; and, above all, he never loses sight of the reverence due to all connected with his order or his station; especially never forgets that useful text which instructs us "to be all things to all men."

"What religious instruction did you find amongst the slaves at the time of your first going out?"

"They were very backward indeed. Besides the established church, there were only two other denominations, the Moravians and the Wesleyan Methodists. The Moravians had the largest congregations at that time."

"Will you describe to the committee the difference amongst the slaves, with regard to religious instruction, at the time of your going and at the time of your departure?"

"The difference was very considerable; it is scarcely credible. I could hardly describe the precise difference that existed from the time I first went to that when I left it, the improvement was so great."

"In what particulars?"

"When I first went out it was very rare to find negroes that could repeat even the Creed or the Lord's Prayer; as to reading there were very few; there were some good proprietors or managers, religious men themselves, took care to see that they were taught. I found some of their negroes that were instructed, but generally speaking they were very ignorant; they had very little idea of religion, except the few that attended the Methodists and the Moravians; but I considered their religious ways to be almost mere forms. I do not think they entered into the mode of instruction I could wish to bring them into—the true spirit of Christianity. They kept them in good order by their way."

"When I was called upon to go out to a house and baptize an adult slave on the point of death, without any preparation, I did not consider myself bound to do it; I referred them to the parish clergy to take care of them. I told some *parish clergy*, very worthy, good men; we had the Rev. Mr. Coull there, the elder one I believe, who was always very attentive to the slaves."

"Do you find the persons who enter the established church do it on conviction, and that they continue their conviction of the faith; or does it appear that any view it as a ceremony of which they have had no distinct notion?"

"I do believe that a great proportion of them enter with a firm conviction of the faith. They have frequently told me they would give the preference to the established church, if they were sure they could

be attended to; that was before the bishops were sent out, and since."

"Then you had access to the plantations?"

"Yes, free access."

"Were you by yourself, or accompanied by any person?"

"I was by myself, and frequently asked up. They generally sent messengers to invite me to go to the estate; and when a negro would come and say he wanted his family to be visited in sickness, I went; but *I always sent word to the manager* that I was coming there. I would not do any thing clandestinely."

"Is there not a dissenting place of worship on the right-hand side going up the harbour after landing?"

"Yes."

"To what description of dissenters does that belong?"

"The Methodists."

"Do you know a boatswain's wife who used to preach there sometimes in the evening?"

"I was never in the chapel. I kept a straightforward course, and never went to their meeting. I did not think it consistent with my duty to sanction them."

"They have a good many gradations among them, have they not?"

"Yes; those people take a little influence; but for my part I always was *an advocate for uniformity* of divine worship; I always thought it would be better that the blacks and whites should mix in one congregation."

"Is there any jealousy between the established church and the sectarians?"

"I do not know that there is any jealousy; I used to consider them in some respects as fellow labourers; *I never disputed with them nor assisted them*; and when I met them in the street I always saluted them, and mixed with them wherever I met them."

"There was no objection made on the part of the whites?"

"I never made any, and never had any made. There was a case in my own parish, where the parish was so large all the slaves could not get buried in the church yards; there were proper burial grounds for each; there was a slave family I visited near a church yard who claimed the privilege of being buried in the church yard; that was a man who could make gigs and harness, and so on—a man of whom I myself purchased a gig for about 75*l.* currency, who was a slave; he being a slave wished to have his family buried in the church yard, and I consented to it *if there was no objection made to it by the white people.*"

I begin almost to doat on this meek and venerable pastor of our church; the acknowledged owner of the blood and bones, and (inasmuch as they cannot be separated at present) of the souls too, of eighteen or nineteen of his fellow-creatures! Does your Grace recollect whether any of the apostles were slave proprietors? Would that I had been on the committee to have gained this important information from the Rev. James Curtin!

This is a case in which I must alter my plan a little. Mr. Curtin being the first clergyman examined, his fitness for the witness box should be judged by a criterion to which I have not felt it necessary to subject others. I should not have gone out of my way to enquire into his clerical opinions for the sake of obtruding them upon the public, yet it is quite justifiable to notice them, so far as he has spontaneously tendered them in the course of his evidence.

I always like to begin fairly with people; therefore my first quotation from Mr. Curtin shall be to give his own summary of a little polemical controversy in which he was engaged on the 7th of September 1814. It seems to have been very uncharitably brought forward to suggest a doubt, whether his conduct had always been distinguished by the same calm and dignified sobriety which marks his evidence throughout. He sums up the case, which he at first details at some length, in less than a couple of lines, at page 409.

"Had you not in fact a boxing match?"

"No, no boxing match; I just took him by the ear, and he put his hand in my face, and the pimple bled!"

And now for Mr. Curtin's theology.

He is examined at page 396 upon the subject of slave baptism, on which he appears to be quite at home.

"You made a point of examining the adult slaves previously, as to their knowledge of religion?"

"I was very particular about that."

"At the time they were baptized were the generality of them capable of reading?"

"No, not the adults; they were merely instructed in the Church Catechism by oral instruction."

"Were they all married?"

"I referred the question to the incorporated society, of which the Bishop of London was president, what should become of those slaves who came to me as cat. chumens, who had wives or husbands,—how I should consider them respecting the ceremony of marriage, whether it was necessary to repeat the ceremony of marriage after they had been baptized. The answer I received was, that if they came to me having a husband or wife at the time baptized, I was to consider that husband or wife as such without further ceremony; and when they were baptized, I put the question, is this your husband or your wife? and if they had more than one wife, I generally made them select one from the others, and they were to consider that as their lawful wife afterwards."

"This you did under the instruction of the society?"

"Yes; the negro conversion society. I have their letter; it was a theological point, and I thought it best to refer the point to them."

"Were any of those you baptized living in a state of licentious intercourse with other slaves?"

"The adults that I baptized were to renounce their licentious intercourse and become married; when their licentious intercourse ceased, then they were baptized, *and it became legal intercourse.*" (!!!)

"Before you undertook to baptize them, did you satisfy yourself that they were leading a moral course of life, and abstaining from that licentious intercourse which is said to prevail so much among the slave population?"

"Of course I ascertained that, and I was very particular in that. It often occurred that they had two or three wives, and when they came to me they were to make a selection; and I had a proper trial *which had the properest claim*, and I made them keep to that."

"Although you represent some of them to have had two or three wives, you nevertheless considered them sufficiently informed to be baptized?"

"They were in sin before that, afterwards they were to renounce that practice."

"It appears from your statement they did not renounce it when they applied to you to be baptized?"

"After they were under preparation they renounced it; I would not admit them without their having renounced their plurality of wives. They were sinners when they first came, but when they were baptized they renounced that sin."

Thus, being "*very particular*" in ascertaining their knowledge of religion previously to baptism, which certainly could not be deemed superfluous, considering their "*instruction was merely oral* in the Church Catechism," he enquires of the Bishop of London what is to be done with those applicants for the rite, who are living in adultery. "This," he says, "*was a theological point*," and one which he seems to have considered of some nicety! then having made them choose a mistress (not a wife, for had the slave been married, Mr. Curtin could have had no difficulty in deciding "*which out of three had the fairest claim*,") and without dreaming of first instructing them in the conjugal duties, and *then* performing the marriage ceremony, he admits them without more ado to the rite of baptism!!!

This is one of the instances in which it appears to me that Mr. Curtin must have felt drowsy.

With his peculiar and laudable anxiety to ascertain the slave's knowledge of religion, it can hardly be doubted, that Mr. Curtin measured their advances by some rigorous test. He did so: "*the criterion*," he says, "*by which I conceived them well instructed was their taking pains to learn the Creed, and the Lord's Prayer, and Ten Commandments; then I conceived that they had a willingness; (!!!) I could not enter into their natural habits, and know what their state of life was.*" (Vide p. 348.) This seems rather singular, considering he was so well acquainted with their habits of licentiousness, as to discover that, in refer-

ence to baptism, they involved a nice point of theology! but the mystery is explained without difficulty in the following page.

"Then you had access to the plantations?"

"Yes, free access."

"Were you by yourself, or accompanied by any person?"

"I was by myself, and frequently asked up. They generally sent messengers to invite me to go to the estate; and when a negro would come and say he wanted his family to be visited in sickness, I went; but I always sent word to the manager that I was coming there. I would not do any thing clandestinely."

And again at page 355.

"You say you expressed an unwillingness to do any thing clandestinely, and always sent word to the manager when you were going to visit a slave on the plantation?"

"Yes."

"You never visited a slave property unknown to the person in authority?"

"No; *not against the will of the planter on any account*; if I went to a plantation, and I knew that that planter was not against my going, I perhaps did not think it necessary to ask at that time."

"Were you ever in the habit of attending slaves privately, unknown to the person in authority?"

"*I was never in the habit of attending slaves privately, unknown to the person in authority.*"

"Do you mean that you asked general permission to go when you visited, or that you asked in every individual instance?"

"I had *general permission and individual both.*"

This deferential regard to the pleasure of the owner, even in the discharge of his holy functions, it must be owned, was very amiable on the part of Mr. Curtin, and will satisfactorily account, not only for the difficulty which he experienced in ascertaining the state of life of his catechumens, but also for the good understanding which seems to have obtained between himself and the planters. It is rather difficult, however, to reconcile these passages with the following answers:—

"Have you found any obstruction on the part of the proprietors to your entering their estates, for the purpose of affording religious instruction to their slaves?"

"I must answer that question by saying, generally I have not, but on the contrary, I was generally always well received: there may be one or two exceptions," &c.

I cannot disbelieve Mr. Curtin, when he declares that he *could not ascertain* the state of life of his pupils; and I am equally unwilling to discredit him, when he says that *he found no obstruction* to entering their owner's estates in the discharge of his pastoral duty. I find myself in a painful dilemma, and like the colonial witnesses, in a similar strait, shall run away from it as fast as I can.

It is very difficult to subject Mr. Curtin to the test of experience, when he is not asked a single question that requires more than a week's acquaintance with a sugar colony to answer: but here and there he evinces such symptoms of ignorance, considering his long acquaintance with the colony, that it is right to expose it. He is asked at page 357,

"Whether a driver can immediately flog to a certain and limited extent by law, at any time he thinks proper, and according to his own arbitrary will."

He replies,

"*I do not think a driver has that authority.*"

Surely this was a point on which his evidence should not have been qualified by a doubt. His negative impression is erroneous, as may be proved by a reference to the consolidated slave law—but, even had the leaning of his doubt been the other way, the admission of uncertainty on such a point shows to how little weight his general information is entitled.

Again the same sort of reply is given at page 358, where he is asked if the slave is liable to be forced by the whip to go to his work. He answers,

"If the driver's use of the whip is not abolished: *I do not know whether that is or not.*"

So at page 360.

"In going to make his complaint, would not the slave be liable to be apprehended as a runaway, unless he possessed a pass?"

"No; *I do not know* that he would be liable to be apprehended as a runaway."

All this uncertainty, coming from a slave-owner of thirty-one years' residence, who had "free access to the plantations," argues either a careless, superficial habit of observation, or a disingenuous wish to withhold every unfavourable circumstance.

Mr. Curtin, like others, is guilty of many inconsistencies; the first to which I shall request your Grace's attention, is this: at page 351 he is asked,

"Is there a marked difference in the moral conduct between the baptized and the unbaptized slaves?"

"As they are almost *all* baptized now, there can be no difference."

At page 348, however, he mentions the number of baptisms by all parties, of the Church of England and others, to be between eight and nine thousand, of whom he had himself baptized 5564.

The slave population of Antigua, however, he states at page 350, to be 30,000; in point of fact it is 30,314.

Which of these statements is correct? are there only 9000 slaves baptized, or are there 30,000? The difference is immense, and the question is important; especially when taken in connexion with

the impression which Mr. Curtin obviously wishes to convey, of a general desire to prepare the slaves properly for baptism.

Again at page 349; he says, in reply to a question as to the prevalence of systematic cruelty,

"I have not known of any actions of cruelty."

And then, as if racking his memory to recall some instance to mind, he adds,

"I recollect once to have heard of a cruel thing, many years ago, by a coloured man to his slave, and the coloured man was put into prison for it—a man of the name of Hilehouse."

"The question includes in cruelties, severe and unnecessary punishments."

"I do not think there are any severe or unnecessary punishments; the general impression on my mind latterly, was, that the planters were very loth to punish their slaves if they could help it; that they had a great deal of feeling for them."

If your Grace will turn to page 401, you will find the following questions: the Mr. Osborne referred to, is, I understand, or rather was a parishioner of Mr. Curtin's; this will serve to explain the reluctance of the reverend gentleman to speak with certainty on the subject.

"Have you not heard of Mr. Osborne shooting one of his boys?"

"Yes, I heard a report of it. It happened long before I got into the parish where he was; it was when I was a missionary."

"You were in Antigua at the time?"

"Yes."

"Can you state the circumstances under which it took place?"

"I know no more about it than what I observed in the island at the time; I only heard the report."

"Did you hear of Mr. Osborne killing another negro, and burying him in a pond?"

"I never heard of his killing a negro, but I heard of his burying a white matross in the sand; but that was only hearsay. I only heard of it from persons, perhaps, that were not his friends. With regard to shooting the negro, he went and gave himself up for that, and I believe he was acquitted, or the coroner's inquest brought in a verdict of accidental death. There was some sort of trial, but I believe there was a great deal said about it that probably he did not deserve; I think so."

"Was he tried for it?"

"I think he was; he gave himself up to the attorney-general for the time. I am not clear about it. I asked him the question about it once; he said it was some accidental thing; he was shooting out in a part near his own house, and that this was a favourite slave, and that the gun went off when he did not intend it, and some one gave it out that it was intended."

"Was he tried?"

"I believe he was."

"Were you in the island at the time?"

"Yes; but it did not come so much within my view; I was only a missionary."

"You heard of his burying another slave?"

"Yes, but that is no proof that he killed him."

I regret that the question was not in this instance, as in the next which I am about to quote, directly put to the witness, and reiterated if necessary twenty times, till an explicit answer was obtained, (that is *my* way, may it please your Grace!) did you believe the report? and do you believe it now? *I know* what his answer would have been, and hereafter, in a certain "Picture of a slave colony, drawn by the Rev. James Curtin," which he has left with me for publication, I will give that answer to the world! For the present, I will content myself with turning to other extracts from the evidence of this Rev. Gentleman, who thus solemnly swears, that he "has not known of any actions of cruelty," that he "does not think there are any severe or unnecessary punishments."

"Have you ever heard of a mustee slave, belonging to Mr. Osborne, of the name of Eetsy White?"

"Yes, I have."

"Was she not confined by Mr. Osborne in his dungeon?"

"I cannot from my own knowledge say any thing of that."

"You have spoken of what you heard of the liberated Africans; do you or not believe this to have been the fact?"

"*I do not know* to my own knowledge; I heard a report of it."

"Did you believe the report?"

"I think in the general way it is possible it may have been the case."

"Was she not delivered of a child during the night in the dungeon?"

"*I do not know* that; I heard talk of it."

"Do you believe it?"

"I did not give much attention to it; I do not think it was at the time I was rector of the parish, or I should have given more attention to it."

"Was not the woman without assistance in that dungeon?"

"I cannot tell."

"Did you not hear it?"

"I might have heard it, and not believed it."

"Do you believe it or not?"

"I do not think I can believe it to the extent which will authenticate it, for I know that this gentleman had enemies."

"Was it not discovered in the morning that the child had been devoured by rats during the night?"

"That is a question I know nothing of from my own knowledge; people may say that."

"Did you hear it?"

"Yes, I heard such things."

"Was not this slave subsequently sold, with the rest of her children, to Mr. George White, the collector of the customs?"

"I think I heard that too; but I do not think I knew it. I do not think that happened when I was rector of the parish."

"Did not this sale take place by advice of the magistrates?"

"I declare *I do not know* that either."

"You do not know those facts?"

"No; I might hear them, but *I do not know* them; and I did not know the woman."

"You have no other knowledge of those circumstances but rumour?"

"Yes; just so."

"Was not the advice of the magistrates as to this sale, given in consequence of Mr. Osborne's cruelty to the slave?"

"I cannot say, indeed."

"Did you ever hear of Rock Dungeon, belonging to Mr. Osborne?"

"This is the first time I ever heard of it."

"Did you ever hear of any dungeon belonging to Mr. Osborne, in which he confined his slaves?"

"I was never there; I never saw it."

Before I finish my quotation, I entreat your Grace to notice the evasive reserve with which the last question but one is met. "He never heard of *the Rock* dungeon"! but when the question is enlarged, "Did he ever hear of *any* dungeon?" he virtually admits it, and in the answers next immediately following, confirms that virtual admission. Did he hope to escape the pursuit of his keen examiner by this quibble upon the word "Rock?"

"Do you recollect having heard of a dungeon in which he confined his slaves?"

"*I really do not know.* I heard nothing particular of his dungeon more than other people's dungeons."

"You have heard of a good many people's dungeons?"

"Yes; there are dungeons; and many persons consider it proper to have a dungeon, though they did not probably use it."

"Will you state that you do not know any instance of a slave being confined in a dungeon?"

"Yes; I believe there have been instances of slaves being confined in a dungeon."

"Then they were not entirely for the purposes of terror?"

"Not entirely; partly for terror, partly for punishment."

Perchance the solution of all is, that Mr. Curtin being a slave proprietor, does not consider imprisonment in a dungeon to be a punishment either unnecessary or severe! On the question of Sunday labour, Mr. Curtin is of opinion that Sunday was better observed in Antigua than in some of the country parts of England—(vide p. 351). If we turn however to page 355, we shall find the following statement:—

"What steps have you known to be taken to prevent Sabbath labour?"

"I have not heard of any step taken before I left the island. I know one circumstance:—there was, when I first went, a custom of moving wooden houses on Sundays, because they could not get strength sufficient to draw the house about on other days; that custom has ceased entirely within the last three years. I protested against it on my first arrival. It used to interfere with the Sabbath service—the noise in the streets; it was breaking away gradually; but it has totally ceased, and it was prohibited by the law of the country."

"What houses do you refer to?"

"Wooden houses in the town, put on props."

"You know of no instance of a manager, or other person in authority upon a plantation, using his endeavours to prevent the labour of the slave on his provision grounds on the Sabbath?"

"I cannot bring to my recollection any."

And again at page 367,

"Have they plenty of time to cultivate their own provision grounds, without working on Sunday, if so disposed?"

"No; I think they must intrench upon the Sunday for their plantation grounds before this allowance (speaking of the allowance of an extra day once a fortnight) lately made to them was made."

To contrast it with these passages, I must add a fourth from page 349, where he says,

"The generality of the planters express themselves anxious for the religious and moral improvement of their slaves."

Now, here again, with the greatest anxiety to attach implicit faith to every word which Mr. Curtin tells me, and to take his answers in their broad and obvious sense, without lowering him by having recourse to any special pleading to reconcile them; mark the perplexity in which I find myself. Do the planters express themselves anxious for the religious improvement of their slaves? and is it the fact that Sunday is better observed in Antigua, than in England? Mr. Curtin says, Yes.

Then tell me, Mr. Curtin, I pray you, why no manager or other person in authority upon a plantation, has "used his endeavours to prevent Sunday labour?" How happens it too, that the slave was obliged to "intrench upon the Sunday" for his subsistence?

Doubtless the reverend gentleman has many a friend among his colonial connexions, who by some colonial hocus pocus, will elicit harmonious concord from every line of his testimony! but I am very deficient in ingenuity, my Lord; I am but a plain man;—I cannot decypher these mysteries.

Similar cases occur elsewhere,

"You have said that slaves would occasionally offer their complaints to you, but you were interrupted, and did not finish your sentence; you said that you did not like to listen to *ex parte* state-

made. Have you in any instance ever conveyed a complaint from a slave to his master or any other person?"

"If I heard a complaint, if I met the master, I would tell him of such a thing. I used to send the slave to the magistrate; when he came to me, I said, I am not a magistrate, you had better go to the magistrate."

Would not your Grace infer from this declaration of *his custom*, that such good-natured counsel was not unfrequently given? but observe, when the question to which this was an answer, is repeated, how little proof he can supply of any such benevolent habit.

"Does any instance occur to you in which you were the means of bringing into notice the complaint of a slave?"

"After such a lapse of time, I *cannot say*. During the time I was there, there *may* have been instances, but I *cannot now recollect*; I recollect one instance with respect to an estate called Miller's."

And here I will take the liberty of suggesting to your Grace, the mischief arising from allowing a witness to correct his evidence the day after his examination. Have the goodness to notice the last words of this answer; "I recollect one instance, with respect to an estate called Miller's." This purports to have been said on the 22nd of June; I believe however, it was *added on the following day*; for I find in the next day's examination, at page 400, the following words.

"I have been examining the evidence of yesterday, and I saw that question (the question having been recalled to him by some friendly peer to give him the opportunity of this explanation) and I was considering a good deal with myself, whether there was not an instance where I interfered with respect to the protecting a slave; and I *now* recollect there was one in the case of an estate called Miller's."

It is clear from this, that Mr. Curtin had *not* on the preceding day recollected Miller's estate, although as the evidence stands, it would seem that he had mentioned it then. I much dislike, my Lord, to see this neat cutting and trimming of minutes of evidence;—it does not look well; nothing of the kind should be permitted, beyond the correction of obvious clerical, or grammatical errors.

To return from this digression to Mr. Curtin's inconsistencies:—I am now about to call your attention, not to inconsistencies in the statement of dry matters of fact, but in that combination of fact and opinion, which the colonists call argument; but, inasmuch as the fact and the opinion always contradict each other, I call nonsense.

"You mean that the slaves in those hot climates would prefer fishing to cane-hole digging?"

"Yes; if they were free."

"From that you infer that the slave would not labour for his own subsistence if free?"

"They would labour in fishing, or something of that kind, but they would not at other occupations."

"Not even to save themselves and their families from starvation?"

"I have no great opinion of their foresight; I think they generally look to the present time."

"You have stated that they have, in many instances, acquired considerable property?"

"They have acquired property, some of them."

"By what means did they acquire this property?"

"By raising vegetables, and fruit, and stock."

"Is not that done by the exertions of their own industry?"

"Yes; but there are exceptions to general rules; there are a few exceptions."

"How can you reconcile with the fact, that the slaves labour on their provision grounds during the portion of time which is their own, the great portion of it being devoted to the service of their master, the supposition that if made free they would not labour for their own subsistence, having the command of all their time?"

"I think I can reconcile that by showing that those slaves I allude to are in superior circumstances to some of the other negroes, as there are in all gradations of society persons of superior talent; and by the perquisites those superior negroes receive, by saving some of those perquisites they have, they are able to lay up something; and then by having a power over other slaves, they can make up this deficiency."

"You mean to say that the possession of property is confined to the superior class of slaves, such as headmen, drivers, and artificers?"

"The possession of considerable property."

"You know no instance of field negroes possessing such property?"

"Yes; there are field negroes I have seen very comfortable too."

"You would not call the field negroes a superior class?"

"The field negroes frequently appear to be such. They have a good deal of stock. I have bought stock from them myself, and fruit."

"Have you ever known an instance of a free man returning to labour in the field?"

"Never."—(Vide p. 361).

Now here is the usual array of contradictory fact and opinion to which I have so often had occasion to advert. First, the slave must be proved to have comforts.

But where did he get them? for the law shows the extent of the master's obligation in this respect.

He acquires them from his own industry.

Then if he is industrious, will he not work when free?

Oh no! it is rejoined, the industry is the exception, and in dolence the rule.

Then we return to the point from which we started, that the

comforts also are the exception, and privation the rule!—that is, that slavery is a miserable and oppressive state.

Such, my Lord, is the circuitous logic of every colonist; and in the quotation which I have last made, you have a noble specimen of it. Facts are shifted to suit the logician's convenience, in the hope, too often realized, that a superfluity of words will veil inconsistency from sight.

Your Grace shall have another specimen of these colonial tactics in Mr. Curtin.

At pages 362 and 363 you will find the following extracts, where the subject of slave industry is continued; reference is made to the African apprentices in Antigua:—

“Do you know whether those free persons maintain themselves in the island by their own industry and by the wages of labour, or by what means?”

“I believe some of them maintain themselves by their own industry; but I believe some of them live on the plantations among the negro slaves, and work for the negro slaves on the plantations; whether they are connected by having wives, or women having husbands, and so that they live with those people, I cannot say: they will not go to agriculture willingly.”

“Do you or not know that those persons actually do maintain themselves by the produce of their own industry?”

“I do not know that they do.”

“Do you know, of your own knowledge, that any of those persons had gone and lived among the slaves on the plantation doing nothing?”

“I do not mean to say doing nothing; they work with the slaves.”

“Who pays them?”

“The master of the estate does not pay them.”

“They are supported out of a portion of that which the master gives to support the slave?”

“Yes; or they may perhaps work to help the slave to keep house or to mind his stock.”

“Do you know the Governor of Antigua?”

“Yes, perfectly well.”

“He is not liable to misrepresent any thing?”

“Not at all.”

“If he were to represent that they were remarkably well-conducted, very industrious, and supporting themselves by the produce of their own industry, with very few complaints against them for misconduct, should not you suppose that to be conclusive evidence that those persons were not precluded, either by their habits or dispositions, from supporting themselves by honesty and industry?”

“If the Governor gave that testimony positively and decidedly, after proper inquiry and investigation, I should begin to hesitate; but from my own knowledge—I do not speak of the governor's knowledge, and I think I have as much right to know as the governor about those negroes—I have known of several complaints on estates of their trespassing on the properties, and I have known them to be idle in the towns, and taken before the magistrates. I do not think

it is so much in the governor's way to know of these sort of things as a person who is living as I am among the negroes."

"Supposing the governor's account of the condition of those negroes should have been given lately, you having been absent a year and ten months?"

"Then there must have been a great change since I was there."

"Have the goodness to state some instance of the trespass you refer to?"

"I recollect no instances; I have had a general impression upon my mind they are on Sir Henry Martin's, and on an estate on another part of the island, towards the old road."

"You stated that they had been guilty of trespassing?"

"I do not know they had been guilty. They were living among the negroes on the estates."

Here your Grace will perceive, first, that these emancipated blacks maintain themselves, some by their own industry, and others by working on plantations though averse to agricultural pursuits; then, as the examination begins to trench upon the argument of indolence, that Mr. Curtin does not know whether these men maintain themselves by their own industry; next, if the Governor states the contrary, he can know nothing at all about it compared to Mr. Curtin, for *he* knows *complaints* of their trespassing on estates; but when pinned down to his own statement, whether they were guilty of such trespasses or not, his knowledge goes no further, although upon them he founds his discredit of the Governor!!! Well might Mr. Burge, in another part of these papers, deprecate all hearsay evidence! indeed their Lordships also seem to have discovered that it was objectionable, or at least *inconvenient*, by the time they arrived at the missionary evidence!!!

All Mr. Curtin's reasoning is so exquisitely absurd, that I am tempted to quote it, if only for your Grace's amusement.

"Is it your opinion that the attendance of the negroes on divine worship would be increased or diminished by their emancipation?"

"That is a question I should wish to take time to consider."

"Do you think the attendance of the negroes at divine service would be increased or diminished if they were emancipated?"

"May I ask whether the question refers to their being let loose without restraint?"

"If their manumission took place, would their attendance on divine worship be increased or diminished thereby?"

"I do not know what to say to that question; I think they act as well now as they would do when emancipated."

"Do you think they would attend as well?"

"I think they attend as well now as they would then."

"Do you think, if they were freed from all restraint, they would attend as well?"

"I do not think they would attend as well if they were free from all restraint."

"Do you believe that in the same situation in which emancipated negroes now are, they would attend as well?"

"I do not think they would."

"Do you know any instance of emancipated slaves attending a place of worship now?"

"Yes."

"What reason have you to think that the slaves who might be emancipated hereafter would not attend church as regularly and as willingly as slaves who have been manumitted?"

"The reason I think so is, that the slaves who have been manumitted have been gradually brought up and inured to attending church; but that with immediate extinction of slavery, that would throw things into such a state of confusion that I cannot tell what they would do."

"You assume that which is not intended in the question, namely, that upon emancipation the slaves are to be freed from all restraint whatever; whereas the question supposes the slaves being manumitted, and legal restraint substituted for absolute power, proper means of instruction being afforded them, and every sort of means used to secure good order and proper conduct among them?"

"I will answer that question in this manner;—if any sudden change took place in the system at present, they would not draw that distinction your lordship does; but they will say, 'If we are to be free, we will do what we please, and go where we please.' The negroes would not take that into consideration; they would imagine themselves to be a free people."

"Do you mean freedom from the whip?"

"I mean that freedom being given them, or any change of this kind, would upset their ideas altogether, and that they would not know what they were about; they would say, 'The law is a sufficient protection for us;' though I conceive the laws could not sufficiently protect him."

"Do you apprehend that emancipation, in the opinion of the slave, means freedom from restraint of the law?"

"I conceive that emancipation, in their opinion, is exemption from any kind of control whatever; not merely from legal restraint. I conceive that any slaves would immediately conceive they were exempt from any control."

"Have any pains been taken to correct that erroneous opinion?"

"Some pains have been, and some are content enough to labour; but if they are to be exempted, who is to give them land, and what is to become of their old and their young people?"

"Where they have been convinced of their error, you do not mean to say that the slaves do understand emancipation to be freedom from control?"

"It is a very delicate subject; the more I think of it the more I think it is hazardous to touch upon it. There have been great improvements lately. I am for amelioration, and progressive amelioration, and that by episcopal control; and that gradual amelioration has taken place in a wonderful degree."

"In how many years do you think that the slaves might possibly arrive to a fit state, in your opinion, to be emancipated?"

"Perhaps it may take half a century." (!!!)—(Vide p. 365.)

The confusion of Mr. Curtin's brain is irresistibly ludicrous. "Slaves who have been manumitted, have been *inured* to attending church:"—a strange phrase, by the way, for a clergyman; but just at this moment, Mr. Curtin seems to recollect that he has sworn, over and over again, to the religious instruction of *all* the slaves, so that if "*inuring*" would keep one at church, it would be as effective with another; this excuse, therefore, will not serve his turn. So, having told us, first, that the emancipated slaves would stay away from church, he adds immediately that "*in the confusion*" which would follow, "he cannot tell what they would do!!!"

Now then, he has got rid of this difficulty; but prefacing the next answer, with a promise to answer that is forgotten before he arrives at the end of it, he wisely concludes with assuring us, as the catastrophe of the whole matter, that the negroes if emancipated "*would imagine themselves to be a free people*"!!! And now, Mr. Curtin having delivered himself of this notable discovery, begins to feel comfortable; Lord Suffield however, who seems at a loss to comprehend the Rev. divine's simplicity, asks what he means by freedom: to which he sagaciously replies, that freedom being given them would "*upset their ideas altogether*!" they "*would not know what they were about*!" they would say, "*the law is a sufficient protection for us.*" What "*a concatenation of ideas*!" The very mention of the subject seems altogether to have upset poor Mr. Curtin, for this is very clear; that if the emancipated slave would thus rely upon the protection of the law, no better pledge could be afforded of his fitness for immediate emancipation; being a conclusion the very reverse of that, at which the Rev. witness was desirous of arriving. I trust he will arrive at Antigua again with less peril to his ideas.

"But," says Mr. Curtin, "*I am for amelioration, progressive amelioration; and that by episcopal control*!" Well, indeed, might he add that episcopal control would "*take half a century to effect it.*"

I think, my Lord Duke, that we have had enough of episcopal fervour for reform! The Rev. Mr. Curtin is not the only member of his profession, that would fortify the town with leather; the man, however, deserves a mitre for the sentiment; 50 years of progressive reform!!! It would make even a bench of bishops stare.

After the examination of Mr. Curtin, there is a succession of witnesses on the anti-colonial side of the question. I shall pass them over for the present, as I have Dr. Barrett and Mr. Amyot,

who are examined only on some collateral points, because I wish not to break the chain of the colonial evidence by any needless digression. I have myself strongly felt the inconvenience arising from the opposite system adopted by the committee; it has added threefold to my labours: in fact, as I have already hinted, the examinations, from beginning to end, form a crude mass of incoherent desultory questions, embracing as many topics as there are lines in a page—the only way of simplifying the matter in any degree, is to adhere to the plan upon which I set out, of examining the colonial testimony to the end in the first instance.

It is as well, however, to call your Grace's attention to one or two inferences which a plain man may draw from the arrangement, or rather derangement of the evidence, as it is published by their lordships.

If it had not been obvious from the composition of the committee what would be the character of their proceedings, this trait alone would have been sufficient to prove their irregularity; it implies that they set forward in their important search after colonial truth upon no systematic principle; that no individual Peer was entrusted, even for the sake of convenience and order, with the duty of conducting the pro-slavery examinations; but that it was left to the chance of their combined ingenuity to put such questions to the witnesses, as accident might suggest upon the spur of the moment. I do not affect, my Lord, to know whether such a plan would have been a breach of that noble etiquette, which as I presume, in reference to the equality of peers, must as a matter of course entitle all who choose, to speak together (some ten or twenty at a time); but if no such right honourable difficulty presented itself, I think much trouble might have been saved to all parties, by leaving it to any colonial Peer, my Lord Harewood for instance, to prosecute the examination on one side to the end, allowing Lord Suffield afterwards to cross-examine the witness at his pleasure. It is curious enough, and the most superficial reader will at once notice the fact, that the cross-examination of the colonial witnesses, making an allowance every here and there for a question good-naturedly interposed for the witness's relief, are carried through with regularity and logical sequence; they evince a determination to get at the truth, and to be diverted in no instance from the immediate topic of enquiry, till it is followed either by clear explanation, or the discomfiture of the witness. I find no harlequinade as soon as ever I can identify Lord Suffield as the examiner; but in every other part, there is as much skipping from this side to that, as in the park horse of a young military puppy, sported for the first time up Constitution Hill.

The prospect of an abrupt termination to the sitting of parliament began to open upon the committee towards the end of

June : to show fair play, it became expedient to examine some two or three witnesses upon the anti-slavery side ; it being scarcely expected, but that the whole host of missionaries and others would be demolished in less than a week.

Their evidence, however, proved to be of a character, not only more important than any which had been already received, but such as to show beyond dispute the absurdity of urging any farther the hackneyed topics that constitute the detail of slave treatment—it began to be felt that they were men of a very different stamp from those who had gone before them, and from this moment a decided turn was given to the whole enquiry. It was no longer a question whether two or three hours more of labour was exacted, or whether ebony switches might conveniently be substituted for cart-whips ; these minor points, indeed were not altogether laid aside ; but though they were incidentally noticed when opportunity offered, the question of emancipation seems henceforward almost to have monopolized their lordships' attention. All that had no immediate bearing upon this point, was hurried over, and with the exception of Mr. Burge, the examinations of the remaining pro-slavery witnesses are short and superficial : they therefore scarcely admit of being rigorously subjected to the same measure of credibility which has been taken of the others. I presume, too, that Lord Suffield began to feel that severity of cross-examination was no longer necessary—in fact it would have been breaking a fly upon a wheel to have given himself much trouble with such men as Mr. Edmund Sharp.

With little interruption, Mr. Edmund Sharp resided in Jamaica from 1811 till the beginning of the present year—during the first two years, he was a book-keeper on Bushy Park estate ; since that period, he seems to have been overseer on many estates. The question is rather ostentatiously asked at the commencement of his examination, whether he has any West Indian property, as if the possession of that alone could give him an interested bias : it is quite enough to satisfy my mind of the self-interest of the witness, that for eighteen years he should have continued in the post of overseer, and therefore, it is to be presumed, have given satisfaction to his employers. If it is thought that I am unreasonable in drawing this inference, I will justify myself by again referring to the evidence of

MR. TAYLOR,

who, after trying the experiment for two years and a half, on the estate of the most humane proprietor in Jamaica, resigned his employment, from a conviction that he could not without pecuniary loss to his constituent, carry on the business of the

estate, unless he resorted to those cruel measures which were equally offensive to Mr. Wildman and himself.

"What was the reason of your ceasing to manage the property?"

"I gave up the charge. It appeared to me that on the system that he and I were going on there was an utter want of power to carry on an active and profitable management of the estate. To make the estate profitable I must be guilty of cruelty; cruelty appeared to me an essential ingredient in the present state of things to produce an adequate return of work. I conscientiously pursued Mr. Wildman's plan of showing humanity to the negroes for two years and a half; at last I intimated to him that there was only one way of profitably managing a slave estate—that was by flogging the slaves, and urging them on to work; that if he wanted humanity and religion, he must have free men to do it with; that slavery was in itself so constituted that it would not admit of an amalgamation with humanity and religion, and as I wished to be religious and humane I begged to resign the charge."—Vide p. 604.)

And again, in another place, Mr. Taylor gives an explanation of the necessity of that cruelty which he here deprecates:—

"Do you think that any essential improvement is consistent with a state of slavery?"

"I think no essential amelioration can consist with slavery."

"Will you describe what you mean by amelioration?"

"For instance, the absence of the whip. I do not see that they can uphold slavery without physical coercion,—without corporal punishment; some motive must be brought to bear on men's minds; where there is no motive you must apply the whip; if you withdraw that an instant, relaxation takes place of the whole system; and I do not think that, under ameliorated slavery, they can be kept together. I think a certain degree of it may be called cruel punishment. Corporal punishment is necessary to keeping them together, and to keep them in active operation. I do not think that the work of the estate can be carried on without flogging, and flogging considerably sometimes."

(Vide p. 576.)

Such is the testimony of Mr. Taylor. Your Grace will hardly think me unreasonable, after this very emphatic testimony, if I entertain the opinion that a man, who has retained his situation as an overseer for eighteen years, should acquit himself a little more decidedly of the charge of interested motive, if to prevent the imputation of cruelty is an object of self-interest, than by a simple denial that he possesses slave-property.

As I have already mentioned that

MR. E. SHARP'S

examination is remarkably superficial, it will not be expected that he should betray, in the course of it, any remarkable degree of ignorance; but either he or his employers appear to have expected otherwise. He adopts the very unusual course of introducing him-

self to the attention of the committee by a long written statement, occupying two closely printed pages! it consists of a complete epitome of all the distorted facts and sophistical arguments which I have already exposed in the examination of Baillie, Keane, and Shand, and shall again have occasion to notice in the evidence of Mr. Burge. It is inexplicable to me how your Grace could allow such a strange departure from all the accepted course of investigation upon oath! Who could not come before you, well prepared, with a cut and dried deposition previously digested? and more especially when, for the most part, it is made in vague and general terms, unsupported by any of those details of fact, or reasons derived from experience, in the perfect consistency of which the proof of sincerity is to be found?

Or, on the other hand, who could be expected to cross-examine a witness, with any effect, upon a written statement previously prepared? I cannot conceal my surprise that your Grace's penetration did not at once see through such a clumsy manœuvre, and desire the witness, with the indignation which you know very well how to express, to put his affidavit into the fire, and content himself with answering the questions that might be put to him. Such, my Lord Duke, would have been my course; though it pains my modesty to repeat so frequently what would have been the example I should have given to you! Such however I doubt not, upon a future occasion, should any such arise, will be your Grace's also.

I have said more upon this document than it merits; not because it is of the least intrinsic importance, or is likely to mislead the most thoughtless reader, but because it is right to expose an artful stratagem, even though it fails. To aid that exposure, I will introduce it by a quotation which will show the manner in which the statement was concocted.

"Is that paper you have delivered in your own handwriting?"

"It is."

"Has any person seen it?"

"Not that paper."

"Neither that paper nor any copy of it has been seen by any one?"

"No; questions were put to me, but I refused to answer; I stated it in my own way, which is in writing."

"Has that paper been seen?"

"A certain part of it has been seen, but not the whole."

"Has any person dictated to you, or in any way suggested any answer to you?"

"Not one word."—(Vide p. 786.)

"You stated that some person had seen part of the contents of the paper you gave in; who was that person?"

"Mr. Markland."

"He is agent for the West India committee?"

"I do not know who he is, but that I have seen him in attendance, and I waited upon him at his office one morning."

"What passed between you and Mr. Markland?"

"He put some questions to me relative to the present condition of the slaves in Jamaica. I told him the better plan would be for me to state it in my own way, which I have done in that paper."

"He had nothing to do in preparing that paper?"

"No."—(Vide pp. 789, 790.)

Mr. Markland would be very unfit for his duties as solicitor to the West Indian Committee, had he committed himself so grossly as to suggest any *answers* to the witness, or to share in the *actual preparation* of the document. Such conduct would have been an undoubted contempt of the privileges of the House; but a man must be a simpleton, indeed, who can suppose that, because Mr. Markland supplied Mr. Baillie, as that gentleman states, with a "string of baby questions," he was therefore unable to be of service to Mr. Sharp in the *due consideration* of the paper in question. And now let me see what this formidable document contains. Your Grace would hardly thank me for recapitulating the whole of it.

After mentioning the hours of plantation labour, he proceeds to an explanation of its nature; this paragraph I must extract, as well as two or three others, upon which I have some comments to make.

"The hardest labour performed by the slave is in digging cane-holes (upon many estates the plough is now in use), but this is by no means *so laborious as coal-heaving* and other employments in this country. Seventy cane holes is admitted as a day's work, and frequently much less, for an able man or woman." [Are females ever here employed as coal-heavers?] "These seventy holes consist in opening a trench, 280 feet long, twelve inches wide, and from six to seven inches deep. I have frequently known this work performed by two or three o'clock; the remainder of the day the slave does as he pleases, either remaining idle or cultivating his garden near his house, and which is a distinct thing from his provision ground. Cane-hole digging is generally task work, and only performed by able people."—(Vide p. 780.)

He then gives an account of the manufacturing labour, and the mode of raising slave provisions; this is not worth extracting; for it contains nothing that is either new or important.

The 13th paragraph deserves quotation for its singular profundity of pathological remark:

"For the decrease of the slave population various causes can be assigned, and which have occurred within the last twelve or fourteen years. The erysipelas, measles, and small pox carried off a great number; added to this, many infants die of lock jaw on or about the ninth day."—(Vide p. 780.)

The next paragraph accounts, in the orthodox form, for the decrease of population by the excess of African females past child-bearing; and, lest it should be supposed that I wish to do injustice to the colonial logic of this philosophizing overseer, I will quote his concluding observations upon emancipation.

"Emancipation to the slave, in his present state, would lead to every excess; and property and life would be in a very insecure state. The African, I believe, dreads it, knowing that the weak would be subject to the strong, and that he must exchange his present comfortable state for one every way the reverse, at the will and caprice of the strong creole.

"There would, in the event of present emancipation, be at least one third of the present population left destitute,—such as old people, young and unprotected children, and diseased persons: how these are to be provided for it is not easy to point out. The property of the planter would become valueless, deprived of the labourer."

"In regard to provisions, it would have been better to have left that care to the colonial assemblies, and to the good and kindly feelings of those in the management of estates, who must be the best judges of the wants of the slave.

"Living among them for twenty-one years, and knowing their wants and dispositions, I should say immediate emancipation would be as great a misfortune as could befall them.—(Vide p. 781.)

Mr. Sharp is surely the Solomon of the party, as Mr. Burge is its Machiavel! I do not feel it necessary to go out of my way again to repeat my refutation of all this hackneyed nonsense.

Mr. Sharp, however, though he comes before us primed as well as loaded, is unable to keep his eye upon the mark. Brief as his examination is, he will not bear sifting on the score of consistency.

"What are your grounds for holding the opinion that the slaves look to emancipation as mere relaxation from labour?"

"I mean to say that, during the period I have been in Jamaica, I have never known an instance of a free man working for himself, in cultivating the soil."

"Neither on coffee estates nor sugar?"

"A free man will cultivate coffee, but on sugar estates I have never known it."

"To what do you attribute that?"

"Merely to their idle disposition."—(Vide pp. 781, 782.)

Here we arrive at our old point:—the slave is idle, and looks forward to emancipation as the means of gratifying his idleness (Vide p. 781, 782); and this is repeated in substance in the following page (783):—

"Do you think it impossible to bring them to that state of mind that would induce them to work?"

"That must be left to what may be done in the course of time, to which I cannot answer."

The slave, then, is so thoroughly imbued with indolence, that he cannot answer for his ever being brought into an industrious state of mind !

I now refer your Grace, first, to the 11th paragraph of his written statement, in which he tells us that the slave "rears and sells horses and asses." As it has never been contended, even by West Indian assurance, that horses are among the comforts supplied by the planters, we may fairly assume that such property must be the fruit of their industry.

At page 787, too, he is asked whether he has known slaves acquire property ; his answer is very decisive :—

"Many" !

And lastly, in the first paragraph which I have quoted from his written statement, the witness observes, that in the hardest labour performed by the slave, digging cane holes, he has frequently known the day's work to be accomplished by two or three o'clock, and *after* that time the slave has employed himself in cultivating his garden.

Thus then, we have Mr. Sharp swearing point blank to the idle disposition of the slaves, and yet swearing with equal confidence to their frequent acquisition of property ; and to their despatching, within time, the hardest labour of the plantation, in order to gain an hour or two for cultivating their gardens !!!

Which of the two statements does Mr. Sharp wish us to believe ?

But in other places he is, if possible, yet more self-contradictory.

"Is there any feeling of degradation in the being employed in the cultivation of the soil ?"

"I should say not, on the part of the slave ; but, *on the part of the free man, there would be to labour with the slave.*

And in the same page,

"Do you think a free man would object to be employed with slaves in the cultivation of coffee ?"

"*I think he would.*"

But, without leaving the page, I find the following question and answer :—

"You have seen free people working in conjunction with their own slaves, on a few coffee properties ?"

"*I have.*" (Vide p. 782.)

Here Mr. Sharp again leaves the matter open.—Will the free man work with the slave ?—Will he still have the goodness to tell us how that question is to be answered ?

When left without his written statement, this witness appears particularly unfortunate. Being asked whether he has ever known an instance of a free man working for hire, either on coffee or sugar estates, he tells us at page 781,

"A free man *will cultivate coffee* but not sugar estates. I have never known it."

This is clear and satisfactory. Upon this answer we are given very clearly to understand that a free man *will cultivate coffee*: but as Lord Eldon used to say, a clear understanding is the source of all confusion. When we get a little farther, the question is repeated.

"Do you think that he would object to being employed with other free men in cultivating coffee?"

"I do not think he would as a free man cultivate either sugar or coffee for hire!!!" (Vide p. 782.)

Here again, which is the case? Will the free man cultivate coffee or not? It is not of very great moment, perhaps, but still for the mere gratification of curiosity, I should like to know what is Mr. Sharp's real opinion upon the point.

So it is upon the subject of flogging.

"Do you know any thing about punishments in those plantations? were they reported to you when they took place?"

"As far as I have been engaged, I have prohibited the use of the whip altogether."

"Do you think that prohibition has been effectual?"

"I think it has."

"You mean for the purpose of driving?"

"I mean for every purpose of punishment." (Vide page 784.)

Immediately afterwards he corrects himself; and, "as far as I have been engaged" is explained to mean "the last estate of which he had the management," and no doubt this was what he meant; but it is quite clear that he here intends to convey the impression that flogging was altogether prohibited on the last estate he managed: he does not, it is true, use the word "flogging;" but surely that was designed to be understood by the phrase "the use of the whip."

Now we will turn over a page, and see whether we shall come to a clear understanding upon this point. He has been pressed to describe the nature of the punishment which he has substituted for the coercion of the whip; and then, after expatiating for some time upon solitary confinement, dark rooms, stocks, and reclining boards, Lord Suffield, having some suspicion, I suppose, that the inventive genius of the witness for punishments was not yet exhausted, pursues the matter thus:—

"Were there any other punishments inflicted?"

"For any slight thing, when we did not wish to lose the labour, switches were used."

"Ebony switches?"

"Yes, or Gwarva."

"Are they like rods?"

"Yes."

"The punishments inflicted by those switches is very severe, is it not?"

"It does not leave any mark; the ebony draws blood, but it does not leave any wound."

"It is understood to be painful?"

"Of course, as a punishment, we would suppose it would give pain; it was given for that purpose."

"Those were used for females as well as males?"

"Yes."

"On the back?"

"No, on the posteriors."

"Who administers that to the females? are they females?"

"The males, sometimes; sometimes the females."

(Vide pp. 785, 786.)

Thus again, my Lord, we are left in the lurch. Is there any distinction to be made by the fine perception of colonial sensibility between "the painful ebony switch that draws blood" and the cart-whip? If there is, it appears to my blunt English feelings, a distinction without a difference. As regards the degradation and the exposure, your Grace will at once perceive that they remain the same. I will only farther remark upon these inconsistencies, that they are all to be found within six successive pages!

There is a whimsical pertinacity about Mr. Sharp that has amused me much. Your Grace will bear in mind that the missionary and other witnesses, who had been examined before him, had given very favourable testimony of the disposition of the emancipated slave to work for hire. In its proper place this will be quoted: at present I advert to it to illustrate the necessity of every prudent man who proposes to attend a committee of your Grace's house, being duly prepared with a written statement, which may supply him with a ready answer to every awkward question: if he has a family solicitor at hand, who, without suggesting "a string of baby questions," or actually preparing a reply, can still give him a useful hint here and there, I would recommend him also to avail himself of such friendly counsel. From my knowledge of the profession, I can assure him that he need incur no risk of committing himself to a contempt of your Grace's house, and all the odious etceteras of humiliating and costly apologies!

"What are your grounds for holding the opinion that the slaves look to emancipation as mere relaxation from labour?"

"I mean to say, that during the period I have been in Jamaica, I have never known an instance of a free man working for hire in cultivating the soil."

"Is there any feeling of degradation in the being employed in the cultivation of the soil?"

"I should say, not on the part of the slave, but on the part of the free man there would be to labour with the slave."

"If they were all free?"

"My opinion is that *they would not labour in the field.*"

"Would they not be induced to undertake the labour for wages proportionate to the degree of toil?"

"Not field labour."

"I mean sugar labour?"

"I am persuaded *they would not work at that.*"

"How do you account for that feeling?"

"I can *only* account for it by saying I have never known it done, and do not believe it would be done."

"Do you think a free man would object to working on a small spot with his slave?"

"I never knew them work on sugar."

"Do you think he would object to being employed with other free men in cultivating coffee?"

"I do not think *he would as a free man cultivate either sugar or coffee for hire.*"

"Do you think the same prejudice against labour, however severe, exists in the minds of the slaves, at the present period, as existed when you first became acquainted with them?"

"I think *the free men would under no circumstances work for hire in the field.*"

"Do you draw any conclusion from that circumstance (their finishing their task-work at an early hour), that the negro, if paid for his work in wages, would be prompted to regular and continuous industry?"

"I think that *a free man would not under any consideration labour in the field.*" (Vide pages 782, 783, 788.)

Now I entreat your Grace to notice that, with the exception of the second and fourth of these questions, there is not one which the witness meets with a *direct* answer! He seems to labour under the eternal apprehension of forgetting the thread of his written argument, and therefore, however varied the form of interrogation, he is resolved upon it that "there shall be no mistake," so he takes refuge in the constant answer—"I have never known the free man work in the field!"

This is extremely prudent, but not equally satisfactory; it is not pleasant to hear a witness adopt the language of a cockatoo—or he rather reminds me of Sterne's imprisoned starling—"I can't get out! I can't get out!" At last, however, the cage is opened, and he does ramble out, inadvertently forgetting where he strays.

"You stated that some of the free people worked; where could they get work?"

"As tradesmen—masons, carpenters, and so on."

"Do they find any difficulty in getting work?"

"There is not employment for them generally—most of the estates which have their own tradesmen *do not employ free people.*" (Vide p. 787.)

Now then the mystery is out! If most of the estates have their own tradesmen, all of them have their own labourers, except the aid of a jobbing gang should be occasionally required "to force" them. And thus we arrive at a simple explanation of the wonderful fact, that the free man never works in sugar cultivation—there is no employment to be found for him!!!

Mr. Sharp ought to have some compassion upon us: after a hard day's work he should not have run to earth, and given us all this trouble to unkennel him.

From Mr. Sharp, as from others, your Grace will perceive that some useful information is derived.

"Is it a part of the duty of the overseer, either of himself or through the bookkeeper, to look at the negroes' provision grounds?"

"He *swears* he does it—he makes a return every three months that he has done it, and if he has not done it, the estate is liable to a mulct."

"Do you believe that examination to take place?"

"Not in all cases—it is impossible to do it; there are some estates possessing from one to 3000 acres of wood land," &c. (Vide p. 789.)

Thus the witness admits that the overseer omits this most important duty of inspecting the provision grounds, so as to assure himself of a sufficient supply; and further admits that, from the nature of the case, he is compelled to forswear himself when he makes his quarterly returns of duty. Yet how often have I heard this useful provision quoted by the mendacious audacity which marks the pro-slavery controversialist, to prove the anxious attention that is devoted to negro comfort! I thank Mr. Sharp for thus enabling me to show the value of such attention.

But an admission of more practical importance is unconsciously made by Mr. Sharp at p. 787.

"He requested me to see what I could do upon the estate by day work, giving over night work. I made the attempt, and continued it for about two weeks. The head man, Thomas Hickson, came to me and requested I would allow the work to go on as usual, that they might get the crop over. It was then customary to me to give them every Saturday out of the crop; he requested that the night work might continue, that the slaves might get their days as usual after crop, in consequence of which I consented to their going on in their own way."

"You stated that some of the free people worked; where could they get work?"

"As tradesmen—masons, carpenters, and so on."

"Do they find any difficulty in getting work?"

"There is not employment for them, generally. Most of the estates which have their own tradesmen do not employ free people."

"Where they find that difficulty, does it appear to you they are willing to resort to proper industry upon their own land in their own occupation?"

"Yes; in supplying their own wants, such as cocoa, arrow-root, and other things of that kind."

"Could they, by extending the cultivation, increase their own comforts?"

"They could of course carry their cultivation further."

"Are there instances of the free people acquiring property by cultivation?"

"I have seen none acquire property beyond their own wants, except those who have had slaves of their own, or hire slaves and employ them."

"Have you known slaves acquire property?"

"Many."

"Have you not known instances of slaves who have cultivated beyond what was necessary for their own subsistence and the subsistence of their families, and taking it to market?"

"I have occasionally, but very few by the cultivation of the soil; they generally make money by raising poultry and hogs, and things of that description."

"How do they feel those?"

"In the night they generally let them loose, to go into the cane fields; and they generally teach them so well, they can call them home before the labour of the day commences."

"Are free men, who have slaves of their own, kind masters?"

"The slaves, as far as I know, generally prefer a white master."

"Have you known slaves who have slaves of their own?"

"I have."

It may fairly be inferred, from this answer, that the necessity for night work is not so indisputable as Shand and Baillie would have us believe. Here Mr. Sharp, with the experience of eighteen years, not only admits that he made the attempt to dispense with it, and continued it for about two weeks, but that he abandoned the experiment, not because it failed, but to gratify the slaves by despatching the crop with expedition! It is no wonder that the slaves desired it—it is the natural character of impatience, to work with uninterrupted ardour for a time, in order to secure the earlier indulgence of relaxation. But such impatience ought not to be the rule by which their labour should be measured, and Mr. Sharp has here furnished us with very satis-

factory proof, that the severe continuance of night labour in crop may be relaxed without hazard.

On the whole, notwithstanding this witness appears to have been hurried over, as if from a conviction on all sides that he was of too little consequence to detain the committee, much useful matter may be drawn from his examination. The deliberate impudence of his preconcerted statement exhibits his prophetic confidence in the friendly protection that he should find; and the facility with which it was received shows the kind disposition of their Lordships to wink at accidental error. His inconsistencies prove the thoughtless character of his testimony; and his pertinacious, yet evasive style of reply, looks, it must be confessed, very like previous instruction. But while his evidence will hardly serve his friends, it assists his opponents in showing how groundless are the pretensions to an anxious tenderness for slave comforts, and how visionary are the apprehensions of those who fear that the cessation of night labour would impede the manufacturing process. Your Grace, I think, may now direct Mr. Sharp to withdraw.

I am now, my Lord, approaching the conclusion of the most arduous part of my duty. The witnesses who have hitherto occupied my attention, are, as I may fairly infer from the precedency given them, the elite of the corps. With the exception of Mr. Sharp they have been examined at great length, and with a visible confidence in the importance of their testimony: whether this review of their evidence will make it appear less satisfactory than was expected, is another thing. I strongly suspect, however, that even Mr. Burge will regret that he did not more carefully ascertain beforehand whether their evidence was such as "he believed to be correct."

The colonial witnesses hereafter examined are only three: a colonial solicitor of the name of Dignum, an American of the name of Wolsey, and a Barbice planter, Mr. Thomas Williams. There are also a few questions addressed to a Mr. Simpson, the object of which is to impugn the testimony of Mr. Taylor, whose evidence I have quoted at the commencement.

Not one of these parties will occupy me long, and for a very sufficient reason: Lord Suffield, being ill, *was not present at the examination* of one of them, except the first day of

MR. DIGNUM'S

attendance. I collect this fact, not merely from the report of the imps whom I have already introduced to your Grace, but from the internal evidence of the examination itself: not a single question is addressed to any one of the witnesses whom I have just named, with the single exception of Dignum, but such as are obviously *designed* to support the colonial case. With

respect to Dignum, when in Lord Suffield's hands, the man makes a fool of himself; but in his re-examination it is apparent that, notwithstanding the offence which his coxcomical manner had given to the committee, he was allowed to have his own way.

This Dignum calls himself a solicitor, and states that he was employed in that capacity by the parish of Clarendon to defend slaves charged with capital crimes (the only anxiety of this tender provision, of course being to save the expense of indemnifying the owner, should the poor wretch be hanged!); I cannot find his name in the list of English solicitors; and therefore I presume that he is one of those nondescript animals, to use the language of Sir John Keane, who are frequently found admitted, nobody knows how, to the privilege of colonial practice. I know nothing to the prejudice of Dignum, for, in fact, I can learn nothing about him; but to prevent his deriving a weight from professional rank to which he is not entitled, it is right to observe, that the statute which imposes an expensive education of five years' clerkship in this country, does not extend to the colonies, nor does any similar practice obtain there. In the few extracts which I propose to make from Mr. Dignum's evidence, the necessity of such previous education will be felt.

Since Lord Suffield took little part in these examinations, I shall drop my plan of estimating the witnesses by their knowledge, disinterestedness, and consistency. But I have to thank his Lordship for enabling me to introduce Mr. Dignum in a highly favourable light as an intelligent witness, remarkable for that caution with which all professional men receive the evidence of important facts. His examination is directed to the nature and causes of the late insurrection: at p. 815 it proceeds as follows:—

“Do you believe there was a general agreement among the slaves that they would refuse to work after the Christmas holidays?”

“I do.”

“And that that was extended?”

“I consider that it was as deep a laid conspiracy as could be, and connected from the east to the west, and from the north to the south; and I will give one reason in particular, if it be necessary.”

“State those reasons?”

“Mr. Panton, who is now our advocate-general (I mention this fact as being the strongest, I think, that caused my belief), was travelling with Mr. Tuckett, then the chief justice to the Cornwall assizes, in November last, previous to the insurrection; he had with him, in his suit, a servant, the most intelligent pleasing negro I think I ever met with, kind and willing to do any thing; he had not the features of a negro exactly, and so much so that Mr. Tuckett, in going down, said to Mr. Panton, ‘That is a remarkably fine servant of yours’ (this I heard from Mr. Panton), ‘I like his countenance very much.’”

“Was he a slave?”

“He was a slave belonging to Mr. Panton.”

"Was he a brown or a black?"

"Black; he was a creole, about sixteen, an intelligent fine young man, his groom and body servant. On their return, Mr. Tuckett said to Mr. Panton, when they were returning from St. James's from the Cornwall assizes held there, 'I have observed in your servant a moroseness on our return home, a great change in his conduct; I think there is something very extraordinary about the boy.' Mr. Panton laughed; he did not think any thing of it himself; but on the boy reaching Spanish Town, the town residence of his master, he appeared ill. Mr. Panton said, 'Charles (I think was his name), you are not looking well; suppose you go to Elmwood' (the estate of his master), 'the change to the country will do you good.' He said he wished to go up there much, and his master accordingly sent him. Mr. Panton went up to Elmwood, at Manchaniel, the eastern part of the island,—perhaps 130 or 140 miles from the disturbed districts. A few weeks afterwards, when there, he saw him again; he did not look much better; he said, 'You had better go to Spanish Town, and change the air.' He said he should like to go there. On his way he took a leap out of the cart which his master sent him in, and fell down and killed himself upon the spot: it was done with extreme violence. Mr. Panton afterwards, when he was sent by Lord Belmore to take examinations on the eastern part of the country, discovered that this boy had carried from the Cornwall assizes a letter sent by him to give to one of the people on the estate, who was, *I believe*, a ringleader in the rebellion; and *his impression was* that the boy, having got this letter, delivered it, and that the boy, whether he was informed of the nature of it, or what it was, or whether an oath was administered to him, *he could not tell*; but that the effect of it was that he, from unhappiness at his own treachery to a good master, in a state of mental derangement, destroyed himself."

"Did he deliver the letter?"

"Yes, he did; *at least I heard so.*"

Your Grace will perceive that this Mr. Dignum, who had arrived from Jamaica only two or three weeks previously, and had there been one of the military executioners of martial law, for it seems he was "a captain of the grenadier company of the St. Katherine's regiment" (what terrible fellows these attornies are in Jamaica!), was anxious to prove the extensive character of the insurrection. "It was as deep a laid conspiracy as could be, and connected from the east to the west, and from the north to the south." Dreadful! Then he gives us "one particular reason," for this opinion, and "*the strongest* that caused his belief." What was this very conclusive reason? A boy of sixteen killed himself; and Mr. Dignum *heard* that Mr. Panton, the boy's owner, *had an impression* that the boy had carried a letter, which it is *supposed* that he delivered, but the contents of which he might or might not have known, to a person whom Mr. Dignum *believes* to have been a ringleader in

the rebellion: hence the poor boy *might* have felt remorse, which *might* have occasioned madness, which *might* have led to suicide; and now who can doubt but that the conspiracy extended from pole to pole? Is it in the prosecution or defence of slaves that Mr. Dignum has learnt thus highly to appreciate such colonial evidence as this? No wonder that Mr. Burge should eagerly snap at a witness so much to his mind. It is a pity, however, not to continue my extracts upon this point. Thanks to Lord Suffield, they are so amusing, that they amply repay the trouble of perusal. Your Grace will please to bear in mind, that all this learned logic is founded upon the impressions, beliefs, and suspicions which I have mentioned.

"You stated that the slave William jumped out of the cart and broke his neck, from remorse at having delivered a letter?"

"Yes."

"Might he not have had any other cause for suicide?"

"He *might* have."

"He might have broken his neck from despair and despondency, arising from his slavish condition?"

"*It is impossible for me to say* what was the impression upon his mind."

"Your impression, received from a conversation with his master, was that it was from having been engaged in carrying this message?"

"From his being an intelligent fine boy before this, and that he had been the bearer of a letter from Montego Bay, and Mr. Tuckett discovering his altered countenance—the return, and the discovery afterwards made of his having carried that letter—and his treachery to a good master,—I *can easily imagine* his mind was preyed upon, and he committed suicide."

"Would he not, from being an intelligent negro, feel the degradation of his state?"

"I must say candidly, I think not."

"You do not think that a high-spirited intelligent man would feel the degradation of slavery more than an ignorant and less-informed person?"

"I have not answered that question; I considered myself to be asked as to that negro. If I am asked with respect to a high-spirited negro, compared with the African who has no feeling, that is a different question; and my answer must depend upon circumstances."

"Do you know the age of this boy?"

"I should think about sixteen."

"You have represented him as a fine intelligent slave; was he not the more likely, from that circumstance, to feel the degradation of his situation, than an ignorant person?"

"From what I know of the feelings of the slaves, and their state, and the condition of a good many free men, and what they say of the free men, particularly those about the town, I am very certain it was no wish on the part of this lad to change his condition."

"Would he not, as a fine intelligent negro, be more likely to feel the degradation of his situation than if he had been an ignorant person?"

"That depends very much on circumstances."

"You have represented, as your persuasion, that it was from remorse at having delivered this letter?"

"That was conveyed to me."

"You represented him as being a fine intelligent negro; might not this act of suicide arise from his feeling debasement as a slave?"

"No, I could imagine the feeling of that slave very well. His master is a kind liberal master; and I think that it is very *probable*, in *some way or other*, some person got this lad at Montego Bay to take some oath which they consider as binding, and that he swore he would deliver this letter; that he must have had some intelligence of the nature of it, and from fear of injury to his master, or knowing that it was to cause a rebellion, that he was induced to commit suicide: I do not think it was a wish on his part to be released from his master."

"You give this as a supposition."

"Yes: from what I know of the negro character, and what I knew of this negro."

"Do not you think that the supposition that a fine and intelligent negro would feel the degradation of his state as a slave, and be actuated by despondency in consequence, is more probable?"

"The greater probability certainly would be that in many instances. When a slave is better educated, and knew more of the world, and associated with the world, he would wish to be in that society; in place of the Corromantee savage African; but I know cases of intelligent men who have refused their freedom; they would not change it for a state of freedom, although their masters had offered manumissions to them. They have given this reason—they have gained money; and have stated to their masters, 'If you manumit me, or make me free, to-morrow, must not I do duty in the militia twelve times in a year, and buy a red coat? in the next place, if you die, who is to protect me? I am getting old; who is to support me? Now the law compels you to give me clothing, and give my children clothing.' I can give the names of the parties who have refused their freedom. There are men in the ranks of my regiment, who have come to me and asked me to buy them a pair of shoes. They are in a most deplorable condition. We have two black companies in our regiment, and I and others have relieved them, knowing them to be in the greatest distress. These negroes have called up their names when their freedom has been mentioned; and their reason for refusing freedom, I think, is from the knowledge of the misery of these free persons. I know some who are intelligent who have had a state of freedom offered to them, and their positive refusal of it."

"You have assigned reasons for the opinion you have given; will you state which, in your opinion, was the more probable motive in this particular case?"

"In this particular case I do not conceive it originated from any

idea that freedom was kept from him, or that he had any right to freedom, or wish for it;—that it was not from a wish to change his state.”

“You are convinced it was not dissatisfaction with slavery, though he was a fine intelligent negro?”

“Yes.”

“You consider it to arise from having committed an act of treachery to a master who had been kind to him?”

“I do.”

“You consider that a proof of strong attachment to his master?”

“I consider this boy was, and I always heard that he was, much attached to his master.”

“Do you think his remorse for having behaved ill to a kind master, a proof of his attachment to that master?”

“I am rather at a loss to answer that question.”

“Do you think his remorse a proof of his attachment?”

“I consider that he committed suicide from having done a treacherous act, which so operated upon his mind as to produce temporary derangement, and to lead to his committing suicide. He *probably* had an idea, when he undertook to carry this letter, what it contained; whether he knew it would lead to rebellion or not I cannot say; but that he felt that he had done an improper thing, and, being a young man of good feeling, it caused temporary derangement, and he committed suicide.”

“Do you think remorse would be very probable, if he had been treated with kindness by his master?”

“Certainly.”

“Do you think a feeling of remorse would not prove his attachment?”

“I think that it would,—that he felt greatly and in consequence he committed suicide.”

“Did you ever see the contents of the letter?”

“No; what I have said regarding it is from hearsay, from his master.”

“Did his master ever see the letter?”

“I cannot say; all I know, I have already stated, I had from Mr. Parton, the advocate-general, whom Lord Belmore sent round to collect evidence.”

“Did Mr. Parton see the letter?”

“I am not aware that he did.”

“Are you aware that any person had seen it?”

“I am not aware; but I believe the letter was traced. I do not know whether it was ever seen by any member of the court martial.”

“The letter might be from a husband to his wife?”

“I cannot suppose it; for, from good evidence, I understand they (the members of the court martial) discovered that this boy had delivered this letter to a ringleader in the rebellion.”

“Might it not be a letter from a wife to her husband?”

“I cannot say what it contained.”

“The contents of that letter might be any thing?”

“I have heard that there was distinct evidence of the fact that it

was a letter to a ringleader who was concerned upon the person, which ringleader was shot."

"So, because the ringleader who was shot receives a letter from a distant part, you infer that it must be of a seditious nature?"

"No; I think I have answered very distinctly that the letter was taken by the slave to that person. *It is impossible for me to know what the letter contained; but, from his having delivered the letter to the ringleader upon his master's estate, who was executed, I conceive he must have known its contents in some way.*"—(Vide pp. 822, 823.)

I pray your Grace to observe, to what extended trifling such puerile nonsense leads! Can you read over all this detail, now that the matter has lost its immediate interest, without wondering at your own indulgence in permitting such absurdity to occupy your time? Yet there is not a word of all this last quotation that is improperly asked. It was incumbent on Lord St. Field to expose to the ridicule which it merited, the hearsay trash whereby this attorney-witness endeavoured to sustain his highly-coloured picture of the conspiracy. His lordship could do no less without deserting the paramount duty of sifting the colonial evidence: but your Grace might at once have suggested to their Lordships, that all this rignmarole of hypothetical assumption was unworthy of their attention, and ought not for an instant to appear upon their minutes. This suggestion would have spared the necessity of cross-examination.

Dignum's evidence throughout is of the same character. For the purpose of sustaining colonial prejudices, and in accordance with the views of those from whom he probably expects future pay, equal to that which he has already received, he does not hesitate to offer his vague surmises and hearsay information in proof (!!!) of the most important charges. Of this a specimen is to be found at page 816.

"Are you aware of any printed papers that were circulated having a tendency to lead to that?"

"I have heard that, and I have seen idle free persons reading newspapers and pamphlets, and in that way I think it has been communicated to the negroes; and the island of St. Domingo I think myself, as regards the eastern part of the island, may have had something to do with this rebellion."

"Is there much communication between them?"

"The communication is prohibited; but it is only a sail of a couple of days in a boat; and it is very easy for St. Domingo to hold communication with Jamaica. I am induced to think that some communication was held previous to the rebellion, from the confession made to the president and members of a court martial held in St. Thomas in the East, mentioned to me by one of the members, Mr. Panton, the advocate-general."

"Where was that held?"

"At Manchamal, where there was a partial insurrection."

"That is the eastern part of the island?"

"Yea."

"In what parish is Manchaniel?"

"St. Thomas in the East."

"Did you hear that confession?"

"No." *heard it from Mr. Panten; it was the examination of a very intelligent slave, who could read and write.*

"Do you recollect his name?"

"I cannot; it was a common name, Thomas or Harry; but he was the head driver of Mr. John Cargill, the proprietor of Haining estate."

"Does it appear that this evidence was taken before the house of assembly?"

"I have not read the evidence; this man was to be one of their generals; I think he styled himself general Darling; the fact is, they divided the district into four, and each was to have a general, a colonel, and a captain; all this was arranged at the Sectarian chapel between Port Antonio and Manchaniel; they assembled there, and gave their captains ranks, and arranged their plan of battle, and the grounds they were to take up."

"Of what sect was this chapel?"

"Sectarian, but I cannot tell; I think the Baptist; it was not the established church of England or Scotland."

"Is it customary to license Baptist chapels?"

"Always."

"Was this a licensed chapel?"

"I am not aware; it is not the parish I reside in."

"Do you know where in the parish the chapel was?"

"I cannot state exactly."

Here again notice the conclusive evidence upon which this most learned lawyer considers that "St. Domingo may have had something to do with the rebellion!" Upon the authority of a confession which he has heard, made by a man whose name he does not know, he, being upon oath, informs their lordships that "*the fact is*, they divided the district into four, and each was to have a general, a colonel, and a captain, all of which was arranged at a sectarian chapel"! and though he thus confidently asserts this to have been *the fact*, he neither knows if the chapel was licensed, to whom it belonged, or where it was situated!!!

I shall offer but one more quotation from Mr. Dignum. Part of his *military* duty, it seems, was to explain to the slaves what was the real character of a state of freedom. Now your Grace shall judge how well he discharges this important duty. He is referring to a conversation which he had with the head driver on the estate of a Mr. Drew.

"I explained to him what would be a state of freedom. He had a very good house, and every thing around him was clean and comfortable. Not having had any thing to do with the agricultural pur-

sails of the island, I had never seen so much of the residences of the negroes as on this occasion, as I think I must have visited two or three hundred negro houses (I mean I was obliged to go into them with my men, to search for arms, &c.); and in doing so, I directed my men to search their upper rooms, where they keep their provisions. This man's place was literally crammed with them; he could not get in. I said, 'Timothy, you have an immense deal of provision here, what is the reason you keep it?' He said, 'Massa, there is more than I can use, and I have no sale for it; I have carried it to St. Ann's Bay, to market, but have to bring it back.' He was very comfortable indeed, and had his hogs and poultry about his house. I said, 'Timothy, suppose your master says he will give you free to-morrow; but this is not your land; you may take your hogs and poultry with you; but, if he makes you free, you must go and work somewhere for any body who will take you, and he must get some one in your place, and give him this house.' There were a great number of people about. He said, 'Ah, you hear the word the captain say.' I said, 'Your master says you are free, and you may go away. Timothy; you get upon the road, and . . . very hungry and have nothing to fill your belly—I state the expressions as nearly as I can—you will have nothing to fill your belly; you know that negroes do not like to see free people coming to their places to beg for yamyam; you will be turned away like a dog, as you always turn away the free people when they come to beg of you here; you will be driven away in the same manner; you will get very sick upon the road, and you will call for doctor. Now, Timothy, you must recollect master does not pay for doctor. When you are his servant, it is his interest to keep you in good health; now you work for him, and you have a comfortable house according to your desert.'—(Vide p. 813.)

This then, my Lord, is the way in which transatlantic witnesses represent freedom to their slaves, and then come here and tell us, aye and the fellows swear it too, that freedom is not desired!!! How could Dignum be so indiscreet as thus to commit his friends, by such ill-timed explanations? When we heard that freedom was despised, all we could do was to gape and wonder, and pity the ignorance of the wretched slave. Now, however, that Mr. Dignum has let us into the secret, and told us what are the colonial ideas of liberty instilled into their minds, I own that I wonder ten times more at the folly of these same slaves in fighting to obtain such an equivocal blessing at the expense of being hanged as well as shot!

Those who like to amuse themselves with a witness's confusion, may turn to page 820, for a delightful instance of it. The witness is accounting for his knowledge of the mendicity of emancipated slaves.

The rest of his examination principally refers to the conduct of the insurgent slaves (which he avowedly reported upon mere

information), and to the sort of redress for injury, which the slave already enjoys from the magistracy. As might be expected from such a witness, he exactly adopts every colonial opinion, and this is the sum of all his *evidence*, as it is called: but whatever their Lordships may think of it, the public are not willing to take for gospel all that a colonist may or may not say or even swear; and less than ever are they likely to do so, I flatter myself, after the analysis which I have here given of colonial evidence, marshalled by the aid of Burge himself, and brought forward as the best upon the most solemn colonial enquiry that has yet been made.

The whole object in calling

MR. JAMES SIMPSON

is to throw a suspicion on the testimony of Mr. Taylor, and in this he wholly fails; the most serious charge which he can make against him being that he disliked the occupation of an overseer, as almost every man of common humanity would do; and that he wished to enter the church, for which I presume that the spiritual Peers, at least, will not conceive him wholly unworthy of credit. The examination of Mr. Simpson occupies only two pages, and is confined to this object. Opinions escape him which are directly at variance with the evidence most reluctantly furnished by Mr. Baillie on the subject of licentiousness; but he states nothing of sufficient importance to deserve quotation.

Let me, however, ask your Grace, upon what principle it is that you permitted the examination of one witness solely to contradict the evidence of another? Such a course of examination is obviously endless and unsatisfactory; upon the same principle witnesses might be called to asperse Mr. Simpson, and others again to discredit them. Suppose that Lord Suffield had desired, or should hereafter desire to examine witnesses against the credibility of Mr. Burge; would your Grace permit it? would the colonial Peers sit silent and patiently await the catastrophe? I do not object to the course that has been taken. Let Mr. Simpson be called to impeach the veracity of Mr. Taylor, if it so please your Grace; but in common justice accord the same licence to the anti-slavery party. Your Grace will remember the Douglas's challenge,

“ Upon them bravely—do thy worst,
And foul fall him that blanches first.”

MR. EDWARD JOHN WOLSEY

is an American, who has spent six months in Hayti. He is of course examined largely as to the statistics of that island, and the character of its population. His experience is confessedly too limited to go far in sustaining the colonial case. One answer

comprises all that is important in the right page, though which it is extended.

"Provided that your opinion should prove incorrect, and that the slaves in the United States were emancipated immediately, do you conceive that the supplies of cotton, tobacco, and rice now exported to Great Britain from the United States would be equal to what they now are?"

"I do not believe that this country would import one in a thousand of what it now receives; I mean that there would not be enough of those articles cultivated to allow of any export. I do not believe, without compulsion, that sufficient blacks could be got to work; and I think it probable that the whites might be equally lazy, if they could support the heat, and were placed in the same situation as the blacks. I believe the hot climates have an effect on the system, in enervating it: I found it so myself."

The whole drift of his examination is the same,—that the blacks are like other people, and will, if they can help it, do no more work in a hot climate, than is necessary to provide for the immediate wants of nature:—neither would I, nor yet your Grace. But does it follow that we are therefore uncivilized barbarians, to be flogged on to labour at the pleasure of a stronger arm? It is impossible to shut one's eyes to the gross fallacy of all this colonial reasoning; it tells both ways, as in the course of this analysis I have repeatedly shown. If the slave is idle, no matter whether by natural disposition, or by the effect of climate, coercion must be used; if he is not idle, although the climate tempt him, coercion should be abandoned, and emancipation follow. There is no escape from this dilemma; you must adopt the one or the other alternative, and either makes for anti-slavery principles.

All are agreed that if coercion is requisite, it should be the act of the magistrate; and this is so obvious that the colonial witnesses, one and all, disclaim the use of coercion, till cross-examination extorts it. I entreat your Grace to apply your dispassionate, unbiassed judgment, to this single point, for I am convinced that the consideration of it will go further to open your eyes to the true character of the controversy, than the most ingenious argument. Is coercion required or is it not? Ask yourself that question. Answer it by this evidence, and your Grace will not be long in subscribing to my doctrine, that slavery must give place to the sway of independent magistrates, appointed by this country, and responsible only to the colonial office.

I am not disposed at this moment to go into the evidence of Mr. Wolsey as to Haytian statistics,—a residence of six months only, clearly entitles his authority to no weight: more especially when he was subjected to no cross-examination; but moreover

there are persons in this country who are far better acquainted with Hayti than Mr. Wolsey; let them be heard also, and then we shall be better able to judge whether the operation of a free labour system within the tropics, is beneficial or the reverse. It is as well, however, to throw out the hint to those against whom Wolsey's testimony may chance to be quoted, that very little reliance is to be placed upon an experience of the conduct of a state yet in its infancy, in all matters of independent government: the immediate question at issue is not, what a horde of uncivilized barbarians would do, if they emancipated themselves, but whether a people, who are represented by their owners to be already so far advanced in civilization, as to maintain themselves in comforts, may not be safely trusted under a less oppressive yoke than the arbitrary power of individuals. It is only by the mendacious artifices of these very individuals that the question is surrounded with hypothetical difficulty, and mysterious language, for the express purpose of disguising its simplicity to the eyes of the British public. The evidence of Mr. Wolsey, such as it is, makes it doubly important to bear in mind this simple view of the controversy.

MR. WILLIAMS

is a planter of Berbice: he was called for the sake of proving that certain slaves, emancipated by government, eventually turned out idle characters: he falls short however very considerably in proving this; but on the other hand he admits one or two facts, of very considerable importance. It would be premature to go into a minute consideration of his evidence, till the enquiry is fully extended to the Leeward Islands: I shall therefore content myself with one or two quotations of general matter.

"Do you think the religious and moral education of the people has improved of late years?"

"There has been a marked difference since I have been in the colony: the religious education is having a great effect, and will have a still greater as the Africans die off in the course of nature."

"As civilization increases will not the wants of the people increase?"

"Undoubtedly. The improvement is certain, but slow, as must be expected when it is recollected that not many years ago most of these people were living in their own country in savage barbarity, and many of them cannibals, which they admit that they were; but they shudder now at the idea of eating human flesh."

This testimony to the value of religious education is important; and not the less so because, both in the previous and subsequent answers, he admits the part taken in it by one of that noble class of men, whom your Grace affects to despise,—the missionaries.

Mr. Williams states very little if anything unfavourable to the cause of emancipation; but lest he should give currency to an unfounded opinion that the slave is already treated as leniently as humanity could desire, your Grace must be reminded that Barbice is a crown colony, in which the slaves have, for some time past, enjoyed the advantage of being under the immediate protection of the crown, and of orders in council, which, faulty and defective as they are, have provided for the slave a degree of comfort and security which it is hopeless to expect under the most indulgent exercise of the masters' authority in the chartered colonies. There was undoubtedly a great deal of art in this citation of a witness from a crown colony, to give countenance indirectly to the system of slavery in Jamaica. By this time however, your Grace must be as familiar as myself with colonial trickery; and therefore, without apprehension, I proceed to introduce Mr. Burge to your particular notice.

MR. BURGE

is entitled to special notice; that he should have been examined at all, appears strange, considering the place which he occupies in the colonial controversy. It was a blunder of the West Indians to call him; although the original constitution of the committee was so glaringly unjust that a reflecting man would never have been betrayed into the expectation of a *bond fide* enquiry, yet, had its proceedings been glossed over by a colour of impartiality, the evidence might have been usefully quoted to suit the colonial views; but the wise policy which named Lord Goderich and Lord Suffield upon it, seems to have been forgotten in the apprehension occasioned by the severity of cross-examination, and by the astounding evidence of the missionaries; and Mr. Burge was incautiously called in to neutralise that evidence, Lord Suffield's illness rendering cross-examination improbable.

Doubtless your Grace did not advert to the impropriety of placing Mr. Burge in the witness-box; it is probable that you are personally too little acquainted with the merits of the question in detail, to see that impropriety in its true light.

That he is a slave-holder, is an objection common to many of the colonial witnesses, besides Mr. Burge; but he stands alone in many respects. First, he is receiving at this moment from the colonial purse a salary of not less than £1500 per annum (vide page 1000), which salary the House of Assembly may at any moment withhold, should he offend colonial feeling. Nor is this by any means a visionary danger. It appears that, notwithstanding the self-complacency with which this gentleman, in every page of his evidence, assures the committee of the good

understanding that subsists between him and every class in the island, his appointment as island agent was opposed by a minority of eight,—a pretty large number, when it is recollected that the *whole* House of Assembly only consists of forty-six members!—(Vide p. 984.)

Independently of the bias which this state of dependence must necessarily create, it is obvious to every body, however lightly Mr. Burge may consider it, that, with the abolition of slavery, his colonial salary, and, yet more, his colonial importance, must cease. He seems to entertain no small views of his own consequence, though even his constituents themselves, whether in rank, education, or property, are not to be compared with the parish vestry of Saint Giles's. I will enumerate Mr. Burge's duties in his own words.—(Vide p. 1000.)

“What are the services which you are expected to perform in return for this salary? state them not merely in general language, but in detail.”

“As I stated, in answer to a question put to me by your Lordships, one clause of the act of the legislature appointing me prescribes that I am to solicit the passing of such laws, and transacting such other public matters, as shall from time to time be committed to my care for the good of the island. I feel it my duty, by virtue of that appointment, to promote as much as I can the interest of the island, to communicate with the government on all measures which in any manner relate to the interest of the island, as well those which may be in progress through either house of parliament as those which may be suggested for the colonial legislature. I hope I do not assume too high a tone in speaking of the duties of the agent when I say that he ought to do for the island of Jamaica that which, if the persons composing the legislature of the island were here, they might themselves be disposed to do.”

What then will become of poor Mr. Burge, when he ceases to be the go-between of the said parish vestry and His Majesty's Government? Your Grace's elevated rank forbids your conceiving how vast is the pseudo-consequence derived in certain society from these nondescript communications with great men high in office!

There are other objections to the admissibility of Mr. Burge equally palpable, and still peculiar to himself. Mr. Burge was for many years attorney-general of Jamaica; and in this character was personally mixed up, I may say, identified, with the whole colonial system. If your Grace will turn to page 983, you will there find a description of his official duties.

“During the time you were attorney-general was your attention drawn to the protection of the slaves against criminal charges?”

“When I became attorney-general I considered it part of my duty

to become especially, and I will say emphatically, the protector of the slaves. I never on any occasion heard of an outrage committed upon a slave that I did not at once write to the custos of the parish, or to his owner, or to some person who could give me information, in order that I might become acquainted with the truth of the case, and bring it before the courts for punishment. This was known in Jamaica to be my practice; and I may venture to take credit for having suggested some important measures of amelioration which were introduced in the slave law of 1816. I was from the time I became attorney-general almost invariably the counsel for persons, many of them slaves, who set up claims to freedom and brought actions of *homine replegiando* to recover it, and, except in the particular cases in which I might have happened, previously to my becoming attorney-general, to have been retained as counsel for the defendant, I made it a rule not to take a brief against a person asserting his claim to freedom, but to be concerned for that person, and I gave him my own services as a barrister gratuitously, and I procured him also the gratuitous services of the solicitor of the crown, deeming that, as I had the gift of the solicitorship of the crown in my own appointment, I might ask that officer to give his gratuitous services in such a case."

"What are the duties of the attorney-general? are they similar to the duties of the attorney-general in England, or have they any relation to those of the lord advocate in Scotland as the general prosecutor?"

"I should say that the office of attorney-general in Jamaica more resembled that of the lord advocate of Scotland. No bill of indictment can be preferred but at the instance and with the sanction of the attorney-general. If in the case of a prosecution in which a private individual were aggrieved, he were dissatisfied with the exercise by the attorney-general of his discretion in refusing to send in a bill of indictment, he might apply to the court for its interposition; or even without that application the attorney-general—I speak of my own policy—would allow the bill of indictment to be sent in if the party procured the signature of any counsel of respectability at the bar that it was a proper case to be sent in."

Is it thence inferred that he is of all persons the most capable of throwing light upon the discussion? Granted: and, for that very reason, he is of all persons the most interested in softening down, or keeping out of view, those parts of the system which the abolitionists deem to be oppressive and unjust. Every impartial man that looks into the evidence will feel the force of this objection *in limine*. Other planters have only to vindicate themselves, to prove that, whether the system is good or bad, it has not led to evil upon their own estates; but Mr. Burge has to contend, and has contended, that, from first to last, the system is good, its evils speculative, its advantages real, and experimental. Such men as Shand, or Baillie, are, it is true, influenced, and that in no small degree, by colonial *esprit de corps*; but, as regards their personal reputation, their responsi-

bility is bounded by the limits of their own plantations. Not so with Mr. Burge; if slavery in Jamaica has been a system of iniquity and oppression,—if it has demoralized the planter, and uncivilized the slave,—if by its continuous labour, and severe privations, it has diminished a population that must, under better management, have increased,—and, above all, if the few benefits which the slave enjoys have been by permissive indulgence, and not by legal right, who could be selected from the whole colonial party that bears the responsibility on his shoulders so largely as Mr. Burge?

“I say this,” he observes at page 982, speaking of what might have been done in the way of amelioration, had a different course been followed at home, “having had, *as the attorney-general, and as a member of the government of Jamaica, much personal communication with members of the House of Assembly*, in furtherance of certain of the measures suggested by His Majesty’s Government.”

At page 968, he uses language as decided.

“The attorney-general of Jamaica, from his connexion with government, must feel a great interest in keeping the assembly on good terms with the governor, and through him with the government here; and he feels an interest in endeavouring to promote the best understanding between the government and the assembly. *From these considerations I had a great deal of communication with the members of that house.*”

And again, at page 998, he is asked,

“Were you in the habit of meeting the clergy of the church of England?”

And proves how great his influence would naturally be with them, by replying,

“Certainly; *there were among them many of my most intimate friends.*”

Speaking, too, of the exercise of his official power, he says, at page 1005,

“I would not *as attorney-general have allowed* [!!] that paper, (the Watchman), to have acquired the currency in the island it now has”!!

And, throughout his evidence, he gives us to understand, with an egotism that is offensive, that he, from first to last, was the acting and influential personage in all the island business. Mr. Burge must have been something more than human if, with this load of responsibility upon his head, he could have given that fair, unbiassed testimony which the public voice demands. Mr. Buxton, it is true, was examined on the other side. But what then? If Mr. Buxton’s views should prove erroneous, he is not chargeable with any greater fault than the dissemination of a

mistaken opinion. If, however, Mr. Burge cannot establish the facts on which he rests his conduct; if it should appear that slaves are, and for many years have been, oppressed by degrading and tyrannical legislation, I fear that he will hardly be let off by the public with the lenient sentence due to a mere error in judgment.

I cannot account, on any grounds that I have stated, for the West Indian committee being, in this instance, so wanting in their usual controversial skill. The mere name of such a witness refutes the boast of impartiality; but, if your Grace felt that you had no discretion as to his examination, then, I say, that it was incumbent upon you, nay more, that it was a point of honour, in Lord Suffield's unavoidable absence, to keep a watchful eye upon the course of it. Your Grace was bound to pin him down to facts; to reject with sternness, all vague, desultory statements; and all rambling opinions, however plausibly introduced by such phrases as "I am persuaded," "speaking from experience," and so forth.

What could your Grace expect, but that such a witness, examined under the kind protection of half a dozen colonial peers, would launch out into profound colonial metaphysics, and true pro-slavery sophistry? such as, through the money of the West India committee, have inundated the daily press and magazines of England, for the last five and twenty years. And such was the result; from first to last, Mr. Burge indulges us with nothing but a pro-slavery speech. He appears to have been called before their Lordships expressly for the purpose of repeating to them, and, through their papers, to the public, those sentiments which the House of Commons indignantly refused to hear. And so far is this course from being checked, that, at p. 990, he is directly invited to proceed in it, and is asked the following singular question:—"Are there any other circumstances that it occurs to you to state, that have any important bearing upon the subject of this enquiry?" And this is what their Lordships call collecting *evidence*! What answer could have been expected to such a question, except that which followed? occupying two pages of as hackneyed an oration as was ever spouted at the Thatched House tavern. Long as it is, I will quote it, in a spirit of fair play, as well as to show the style of examining a pro-slavery witness.

"Are there any other circumstances that it occurs to you to state that have any important bearing upon the subject of this enquiry?"

"I beg to state to your Lordships, as the result of twenty years' residence in the island of Jamaica, of a great deal of personal communication with slaves, and a great deal of communication with planters, that with every desire to effect emancipation as speedily as possible, I do not believe that the slave population has yet attained such

a degree of civilization, or acquired those habits of industry, or the desire or taste to gratify artificial wants, or even the feeling of those wants, as to hold out a reasonable expectation that if emancipation were now effected it would be effected with any other consequences than those of leaving the slave population in a perfectly idle and abject state, of producing utter ruin to the proprietors, and of making the island of Jamaica a perfect wilderness. It may be supposed that my official situation as agent, or my interest in right of my family in some property there, may give a bias to my opinions; but I will tell your Lordships plainly that I went out to the island of Jamaica strongly opposed to the continuance of slavery. To the abolition of the slave trade, from the period when I first could interest myself in public events, I had always anxiously looked for: I was convinced that it would lay the foundation for the ultimate abolition of slavery. I have now as strong feelings on the subject of slavery as I then possessed, but I have now the local experience and the knowledge of the negro population which I did not then possess. I am however convinced, that notwithstanding the progress which has been made in the advancement of the slave population since I first arrived in the island, the time has not yet arrived when their emancipation could take place with any thing like a regard to their own interest, even if you were disposed to disregard the interest of the proprietors. When I arrived in the island of Jamaica the slave trade had just ceased; and being always of opinion that one of the first steps for the purpose of utterly extinguishing slavery was an extinction of the means by which there were continually poured into the colonies a race of persons perfectly uncivilized, bringing superstitious habits, and by those and other habits peculiar to the Africans retarding the civilization of the slaves already in the colonies, I watched the gradual progress of the slave population from the time the slave trade ceased. This is the period from whence ought to be dated the commencement of the means of effectually promoting the civilization of the slave population. It appeared to me, that from that period there has been a progressive advancement in their condition. Without adverting to the effect which the continuance of this atrocious traffic must have had in making persons indifferent to the value of human life, in withdrawing from the planter that motive for the preservation of the life and health of the slave population which his own interest would supply, and without referring to those obstacles which it created to the acquisition by the slaves who were then in the island of feelings and habits of civilization, it was necessary that a more rigorous system of laws should be in force than that which has been since found requisite when the population has become habituated to and improved by the usages of civilized life. It has always appeared to me that it has been too much the practice in this country, when the state of our slave population has been considered, to regard the written laws of our colonies as affording the sole and exclusive test by which to judge of the actual condition of the slaves, and the degree of protection and security which they enjoy. This is as erroneous as it is unjust. I am quite satisfied that in the usages which prevail in the colonies, and in the

general treatment of the slave population, there are to be found, and in practice there exist, privileges and securities and means of protection for the slave population *infinitely greater than are to be found in the written law*. The law, with a view to exercise an influence over a population which has not attained, but is in its progress to civilization, speaks a language of strictness and severity; but it is in its language only, and not in practice, that the strictness and severity are to be found. I may venture to say, as far as my experience extends, in tracing the progress of civilization in other countries, such will be found to have been pretty nearly the same policy in those countries. The improved and improving feelings and habits and usages which arose in the progress of civilization relaxed and mitigated the operation of laws. The mild and improved spirit of the law in civilized Europe had silently established itself in practice long before it had been introduced into the written law, and it formed a striking contrast to that law. The same course will and must accompany the progress of civilization amongst the slave population. The usages of colonies illustrate in numerous instances that which I have just stated. Take, for instance, the recognition by usage of the property of the slave even before it had been expressly recognised by law. Look at the *claim* which he makes to his grounds, or for *compensation* if any injury has been done to them by the master, although in law they are the grounds of the master, and not of the slave. In point of law they have no foundation but in practice, and under the influence of moral feeling they are irresistible. If, in drawing timber in the neighbourhood of negro grounds, an injury has been done to the grounds of the slave by his master, he would feel himself as fully entitled to come and ask for a pecuniary satisfaction for the injury to his grounds as any one of your Lordships would feel if an injury were done to your property. He would make his claim with perfect confidence that it would be allowed, and no master would deny him complete reparation. I mention this as illustrating the actual state of slavery, and the usage applicable to it as contrasted with the written law on the subject. I will take another instance. The law prohibited slaves from being possessed of horses and cattle; but, so far from that law being in actual force, there was scarcely a property which has sufficient grass land attached to it on which slaves did not keep their horse, and cattle to a considerable extent—cattle, property of their own, all of which are fed upon the masters' lands. To take those cattle, or to use even the horse, without the permission of the slave, would be considered by him such an outrage that he would go at once and make his complaint, and that complaint would be redressed."—(Vide pp. 990, 991.)

Is not this preposterous? As if, however, to put it beyond the possibility of dispute, that it was desired to give every latitude to Mr. Burge for addressing his sentiments, though a coroner, to your Grace's house;—as if to guard against the possibility of his having, by any accident, omitted an argument for his colonial clients, the question is repeated at page 1039, and

he is again asked "whether any other fact comes within his knowledge which he would wish to state to the committee." And then follow two pages and a half of argument, already exploded, which to the colonial peers must have been as familiar as their creed, and, to any but them, as unsatisfactory as it is prolix. There is not a syllable of it *evidence*, in any sense of the word. It is therefore unnecessary to quote it, even to vindicate my character for fair dealing; but, hereafter, I shall expose the complete fallacy of the impression which he wishes to convey in it, that "it is not true, as is generally asserted, that families may be sold separately."—(Vide page 1040.) *It is true*; and I will hereafter prove it. I ask your Grace whether this was fair dealing to the anti-colonial side; and, more especially, whether it should have been permitted in Lord Suffield's absence.

But was Mr. Burge cross-examined? I have already said that your Grace has the excuse of not being familiar with this question in detail; but it is not less true, that some noble Lord was present, who possessed that information which might have led to a fair control of the witness. Some of the questions which are asked show conclusively that it was well understood where Mr. Burge was vulnerable. I will quote an instance of this. Turn to page 1003, and you will find the following extracts:—

"Were you the Attorney-general of the island of Jamaica when Messrs. Levesne and Escoffery were deported in 1824?"

"I was."

"Were they not first arrested as aliens?"

"If your Lordships are going to examine me upon the case of Levesne and Escoffery, which has already been before the House of Commons, and with respect to which I wrote and printed my statement in answer to Dr. Lushington's statement of the case, *I will give in my statement and make it part of my evidence*, for there is nothing in it which I will not consider as given under the sanction of the oath I have taken before your Lordships; but it is a very long statement. I should feel, as I was personally attacked for the course I then pursued both in and out of the House of Commons, that I should neither do justice to myself or to the authorities in Jamaica if I gave an answer to that question *within the limits which your Lordships' time would prescribe*, instead of giving it in the full way in which I have given it in the printed statement; and therefore I beg leave to refer to it."

What would have been said, had any anti-colonial witness been audacious enough to give the second answer which I have here quoted? containing a menace, only half suppressed, of the formidable discussion into which he would plunge their Lordships, if cross-examination on this point were continued! But this visible apprehension on Mr. Burge's part, should have in-

duced the examiner to accept his challenge, and push the enquiry home. Yet it will be scarcely credited by those who do not look into the papers for themselves, that this bristling up of the quills held the examiner at bay, and the subject is urged no further!

With one more remark of a general description, I will close these comments. Your Grace will remember the examination of Baillie. Being a magistrate, he was very properly interrogated upon many matters of police, and he very judiciously evaded every question that he could not answer, that is, nine out of ten, by referring to the printed law. This refuge ought not to have availed him, and would not have availed him elsewhere; the immediate object of the examination being to prove *the witness's ignorance*, and not the statutory enactment.

But, in the case of Mr. Burge, the object in view is different; there it is to learn the statutory enactment, not the witness's construction of it. In this case it was clearly proper to produce the law itself, being the best evidence that could be obtained, and not to sit down content with the witness's report. Yet the very opposite course is adopted! In no one instance is Mr. Burge desired to produce a colonial statute. On the contrary, his recollections are taken for gospel; and the "laconic" recitals of this "Jamaica lawyer," to use the phraseology of Mr. Hinchcliffe, are invariably substituted for that satisfactory information which could only be obtained from the statutes themselves. I offer no comment on the facility with which Mr. Burge is allowed to escape from the embarrassing task of producing the accounts of the West India Committee, which, as he belongs to it, he is of right entitled to inspect. Mr. Buxton, only a few days previously, had been required to show those of the Anti-Slavery Society, and complied! This difference speaks for itself. The large douceurs paid to the daily press would perhaps have formed a considerable item. This was not to be borne, and the matter was, most courteously, no farther pressed!

The anti-slavery party has been placed at an unreasonable disadvantage, and are therefore entitled to repeat the same protest against the reception of Mr. Burge's evidence which they made against the enquiry altogether, in the first national petition ever presented to parliament. But I partake somewhat of your Grace's character; though at every disadvantage, I will "show fight" against this Goliath of the Philistines, Mr. Burge. Indeed I cannot read a page of his evidence, without coveting the possession of your hereditary honours for a time, that I might have been enabled to fill the place which Lord Suffield was compelled to resign. From me he should have had no mercy.

I will weigh Mr. Burge by his consistency, before I examine the accuracy of his knowledge; for it would be a pity not to intro-

duce him by an extract, which will doubtless ensure his evidence a most favourable reception with the public.

I find, in the evidence before the Commons, that the Rev. Mr. Duncan, a missionary, is examined relative to certain resolutions passed by some of the missionaries in Jamaica, in the year 1824. The same gentleman was called before your Grace's committee, and a reference is made by him to these resolutions at pages 664 to 666 of the papers now before me.

As, however, the topic is fully explained in the Commons' evidence, I refer your Grace to page 125 of that evidence for a more minute detail of the facts I am about to mention.

These missionary resolutions expressed the sense of the parties from whom they professed to emanate, of the favourable countenance and encouragement given to their religious labours by the magistracy of Jamaica; it was therefore very natural to cross-examine the missionary witnesses upon them, their recent testimony appearing to be directly contrary to the admissions which their resolutions contained.

Mr. Duncan explains this seeming contradiction, by stating that the resolutions had been passed under the influence of fear.

"Very great prejudice," he observes, "was excited against us; it was threatened to shut up the chapels; two missionaries had arrived, and had applied for a licence to preach in our parish; the licence was refused. The Alien Act was then in force, which was considered sufficient to enable the Governor to transport any suspicious person. In one of the Courts of Jamaica it was proposed that we should be transported, about the very same time that those missionaries were refused permission to preach in the parish of St. Ann. Here was a state of things very disagreeable for us, especially as we were uncertain what might be the sentiments of His Majesty's Government at home upon the great subject of religious toleration in Jamaica, as nothing official had come out, to the best of my knowledge, from the year 1811 till after the period I am speaking about. The missionaries got alarmed, and they applied to a legal gentleman to know what was the law of Jamaica upon that subject."—(Vide p. 125 of the Commons' Evidence.)

The legal gentleman whose opinion was taken was Mr. Burge, who, after advising them upon the law of the case, adds—

"I cannot conclude my answer to these questions without impressing upon the serious consideration of the Wesleyan missionaries the very great inexpediency, both as it regards the welfare of their institution in the island and the public repose of the island, of engaging, at a crisis so agitated as the present, in any litigation with the local magistracy on this subject."

And he adds a few more words afterwards to the same effect.

Mr. Duncan produces the papers, and immediately thus proceeds:—

“ Now what I meant to ground *upon* *that opinion is this, that it still increased the apprehension* which the missionaries had of their not being safe and sufficiently protected by the law of the island of Jamaica.”

And a few lines after he proceeds:—

“ And *SINCE IT HAD BEEN REPRESENTED TO THEM* that, at a time like that, it was unfit that they should avail themselves of their privileges, *THEREFORE* some of them met in Kingston; but, of those who so met, there were only about three who had been in the island for any length of time; and one or two others, who had only arrived a few months before, met with them. *At that meeting a number of resolutions were passed,*”

being the resolutions on which Mr. Burge was himself at that moment interrogating Mr. Duncan.—(Vide page 126 of Commons' Evidence.)

Your Grace must not think me prolix. Every word that is here printed in italics is of importance. That *Mr. Burge was the examiner* I know from Mr. Duncan's lips. You perceive, then, that Mr. Burge *was here distinctly told* by Mr. Duncan that these missionary resolutions originated in an apprehension which *his* opinion had increased, and were adopted at a meeting to which *his* representations had given rise. Could Mr. Duncan have used words more explicitly and directly *connecting Mr. Burge's opinion with these resolutions passed by the body of Wesleyan missionaries?* In case these pages should by any chance meet Mr. Burge's eye, I will recall to his mind a little incident, which will satisfy him, that not only was he present and the examining party, but that the effect of *thus retorting* upon him the fears which his own opinion had provoked was vigilantly observed. With that little nervous impatience, which will now and then disturb the greatest and the coolest minds, he pushed aside his chair, took a hurried step up and down the room, and said in an under tone, (but not so low as to escape my hearing, my Lord Duke,) “ And I am of the same opinion still. I think so still!!!”

Mr. Burge may think me a devil incarnate, if he pleases; but such *were* his words, no matter how I heard them.

Now, may it please your Grace to revert to page 1002, where the following questions were put to Mr. Burge *by yourself*.

“ Were not certain resolutions passed by some of the missionaries resident in Jamaica, in the year 1824, which resolutions spoke in terms of commendation of the conduct of the magistracy in respect of the slaves?”

“ Yes.”

“ Were you not consulted by some of those missionaries previously

to the passing of these resolutions, upon the case of Mr. Tremayne, as to the course which he meant to take in the event of the refusal of a licence to preach by the Quarter Sessions?"

To this question the witness's answer is very curious. He begins by disclaiming all knowledge of those resolutions previously to their adoption; though this was not imputed to him by the question, nor even insinuated! He then proceeds with respect to the case of Mr. Tremayne.

"I have been consulted several times by the Wesleyan missionaries, on different circumstances connected with their establishment; and *without seeing* the particular case and opinion I cannot speak to that opinion."

He goes on, however, to give a tolerably fair account of it; as well he might do, *having seen it* in his own hand-writing only two or three weeks before; and then he winds up his explanation in the following remarkable words:—

"BUT I HAVE NOT THE MOST DISTANT IDEA THAT THOSE RESOLUTIONS, PASSED BY THE BODY OF WESLEYANS IN 1824, HAD ANY CONNEXION WHATEVER WITH THAT OPINION. I NEVER HEARD IT EVEN HINTED UNTIL THE PRESENT MOMENT."!!!!!!!—(Vide p. 1002 and 1003.)

This denial of Mr. Burge occurred on the 30th of July, 1832; the evidence of Mr. Duncan, which I have quoted, had been given so recently as the 20th of June, 1832.

What does your Grace think of this?

But how would the association of Mr. Burge's opinion with these same resolutions have affected the question? I cannot pretend to analyze all the private motives which induced Mr. Burge to put in this anxious disclaimer; but I can easily conceive his unwillingness to be suspected of having advised resolutions which now appear to have been founded in falsehood, and suggested by a tumorous ill-judged desire of conciliation. I can also well understand that Mr. Burge would not like to be suspected of suggesting any of those artful stratagems by which the colonists from time to time labour to deceive the people of England; and yet more clear is it to me, that every professional man of honourable feeling, especially a high officer of the crown, would naturally shrink from the imputation of first exciting a client's fears, and then, years afterwards, challenging the same client with the indiscretion to which his fears had led! However, I leave Mr. Burge to settle these points with himself. Here is the fact, and that is all I care about. Mr. Duncan told Mr. Burge, on the 20th of June, that these resolutions were passed at a meeting which took place in consequence of *his* representations, and the apprehension which *his* opinion had increased.

And Mr. Burge, on the 30th of July, tells your Grace, *on oath*, that—

“He had not the most distant idea that these resolutions had any connexion whatever with his opinion;—that he had *never heard it even hinted until that moment.*”

I shall content myself with making but one more quotation from Mr. Burge, and this will also be found of considerable importance.

If you will turn to page 93 of the evidence, your Grace will find the following question and answer, which I have already quoted at page 57 of this Letter. Mr. Baillie is under examination.

“Have you, or not, within the walls of Parliament, had any communication with any individual upon this subject out of this room?”

“I have, in *the Committee Room, where we the witnesses meet*. I met some gentlemen who are there; but I have not entered into a communication on this business. I have met gentlemen transiently there—*Mr. Scott and Mr. Burge, who are sitting there now.*”

At page 966 your Grace will find Mr. Burge’s report of the matter.

“Have you been in any way instrumental in preparing evidence or procuring witnesses to attend this committee?”

“*I have directed persons to be brought before your Lordships, who I conceived from their local experience were the most competent and likely to give evidence to this committee; in that sense I have been instrumental in bringing witnesses before this committee; this I should have done as a private individual, even if I had not been agent. I do not suppose for one moment that the question intends to ask me whether I have in any degree directly or indirectly endeavoured to influence any witness in the testimony he should give, or to give to his mind any bias on the facts to which he might depose, because that would convey an imputation reflecting on my moral character, and would furnish matter for very grave and serious complaint. It has so happened that, from having to attend the committee of the House of Commons, I have scarcely had any communication with any witness who has been before your Lordships, except by occasionally saying, that I knew from their long residence in the colony they must be able to give important information; but as to the particular facts to which they could depose, the details they could give to your Lordships, I knew nothing whatever.*”

This was Mr. Burge’s statement on the 27th of July; and without meaning to say that there is a direct incongruity, it must be acknowledged that this sitting in the witnesses’ committee room, (or in other words, waiting room) cheek by jowl with Baillie and Scott, “that shrewd, clever planter,” with whose evidence Mr. Baillie, at page 137, promised that your Lordship should be indulged, is rather hard to reconcile, with that *occasional com-*

munication with the witnesses, to which Mr. Burge's attendance in the other committee limited him ! I therefore feel grateful to your Grace for affording to Mr. Burge on the 30th of July a fair opportunity of explaining somewhat farther the nature of his connexion with this enquiry before their Lordships. The following explanation is in strict accordance with Mr. Baillie's evidence, though it must be owned that it goes somewhat more deeply into the matter than Mr. Burge's own evidence, given three days before.

"Do you consider it a part of the duty required of you to take a share in getting up the West India case either for this committee or any other committee ?"

"I do not understand the term *getting up a case*; that would imply, perhaps, that I was fabricating a case. I have no hesitation in stating, that in the prosecution of an enquiry of so much magnitude as that in which your Lordships and the committee of the other house are now engaged, I would exert the local experience which I derived from a residence of twenty years in the colony with all the solicitude which, from interest in its welfare and from my official situation as the agent, I necessarily feel, in *discovering such witnesses as could give the most accurate information* respecting the state of Jamaica, and of its slave population, so that each committee might have the best means of deciding correctly upon this question. *I would not bring a man before your Lordships' committee who I thought would prove nothing, or who I thought would prove that which in my conscience I believed was not correct.* So far I may be considered as conceiving it my duty to get up the case for these committees, but in no other way. I have very cautiously abstained from sounding people as to the sort of evidence they were going to give; when I mention to the solicitor to write to such a person to come and give evidence, I know, from the character of that person, that he must have had the experience which will enable him to give the information which I expect from a man of local experience."

"Who is the solicitor ?"

"Mr. Markland; he is the solicitor of the West India committee, and has the conduct of the case as far as regards your Lordships' committee. There is no solicitor employed in the conduct of the case before the House of Commons, for I have attended to that as a member of the committee, except that I have occasionally desired Mr. Markland to write to certain persons." (Vide p. 1000.)

Hence it appears that Mr. Burge exerted his experience, with all the official solicitude of agent of Jamaica, to discover witnesses, and to bring such men before your Lordship's committee, as would prove that which *he* (Mr. Burge) believed to be correct ! And farther, that he occasionally desired the solicitor to write to certain persons to come and give evidence, though he very cautiously abstained from sounding people as to what they had to say !!!

All this, however, by no means signifies "getting up a case," and perfectly accords with the "scarcely any communication" mentioned at page 967.

How did it happen, I may ask in passing, that your Grace never thought of calling Mr. Markland to corroborate the explanation of Mr. Burge? I should most unquestionably have sent for him on the instant; but these obvious matters always seem to be unaccountably forgotten!

Now then for Mr. Burge's evidence, which I trust I have most favourably introduced to your Grace's notice.

I pass over the "statement" with which he professes to begin; it is singular enough, that without any previous out of doors communication with the witness, some noble Peer should, with most happy propriety, stumble upon the question,

"Have you any *statement*" which you wish to make to the committee respecting the state of the West India colonies?"

And then Mr. Burge produces a "*statement*," ready cut and dried, giving a long rignarole of parliamentary sanction to slave property, *and so forth*. Was this "*statement*" *bonâ fide* intended for their Lordships' use? No such thing; but to furnish quotations from their Lordships' evidence for pro-slavery advocates. At page 967, his examination assumes a more specific shape. He is asked to state to the committee, what has been done by the assembly of Jamaica to ameliorate the slave population since the resolution of the House of Commons, in May 1823.

"The legislature of Jamaica has in various instances ameliorated the provisions of its slave law in favour of the slave population. In 1824, with the view of fully securing to the slave his undisturbed enjoyment of the day which was allowed him for his own purposes, it protected him from being *levied on* for any debts due by his owner. Another provision was adopted, and which originated entirely with the assembly, was * an act to facilitate the manumission of slaves by removing those impediments which existed when the present owner had only a temporary interest in the slave; complete provision was made in that case for effecting his manumission, and at the same time of securing the proceeds arising from his sale for the benefit of those who might have a reversionary interest in the slave himself. In 1826 the assembly revised and consolidated all the laws which had previously been passed for the protection of the slaves, and *made most important additions and improvements*. It passed that act which was transmitted to this country, and from which his majesty was advised to withhold his assent in consequence of certain clauses which it contained respecting sectarians and nightly meetings."

* In this, as in many other instances, I retain even the grammatical inaccuracies of the evidence, purposely to guard against any imputation of misquoting it.

Thus, in Mr. Burge's opinion, the consolidation act of 1826, made "most important additions" and improvements. I do not deny it; but it was guilty of most important omissions also. The additions in this act, though valuable as far as they go, are clogged with such restrictions as to make them comparatively valueless; and I will point out a few of them. Mr. Burge, a colonial attorney-general, should not have left this duty to me, nor should their Lordships have allowed him to speak thus largely of most "important additions," without insisting upon their being specified, that they might judge of their importance for themselves. The first of these additions is to be found in the 34th section; the object of this clause is to prevent mutilation, or wanton or cruel flogging of a slave; and doubtless, if the provisions were adequate to the restraint of such heinous crimes, this would have been a most important addition to the slave law. But will not your Grace be surprised when I tell you that consistently with the provision of this boasted clause a slave *might* be mutilated, dismembered, or cruelly flogged; and so far as I can find, *without limit*, provided death did not follow? and yet the special sessions, who are empowered to punish, would not violate the letter of the law, if they fined the offender sixpence, and then discharged him!!

The cunning of colonial legislation took good care to impose a maximum, but not a minimum of penalty! and thus, in spite of Mr. Burge's boasted "addition," the offence is defined, though loosely, but the punishment is not. Nor is this all; this "most important addition" most equitably provided, that should the special sessions of slave-possessing justices, consider the complaint of a poor slave to be "unfounded," he shall be delivered back to his owner, or be punished by "hard labour or whipping," as their colonial worships "may think proper"! And yet farther to impoverish its force, the 132nd section of the act declares, that if the owner is convicted, a slave that "shall have been sworn upon the trial as a witness, upon the part of the prosecution," is excepted from the power given to the special sessions, of declaring the victim of the offender free.

Is it not obvious to your Grace, that the evidence of the unfortunate slave himself is thus almost necessarily excluded? for if he convicts his owner, he must remain in bondage to a vindictive master! Yet, by his evidence alone, in five cases out of six, could conviction be ensured!

Why was this explanation withheld, when Mr. Burge bragged of his "most important additions?"

Another new clause in the same act, and upon the introduction of which, at pages 970 and 971, Mr. Burge seems to pique himself considerably, provided for the admission of slave evidence; this too I admit to be a "most important addition," had

it been impeded by no restrictions, to render the provision nugatory. Mr. Burge has mentioned the "addition," but on the restrictions he held his peace. If your Grace will please to turn to the 130th clause of the act, you will find that ere slave evidence can be received, a certificate of baptism must be produced; no easy matter where not one in five hundred is baptized; but this is unimportant compared with what follows: "provided also that no white person or persons of free condition shall be convicted of any of the crimes aforesaid, on the testimonies of any slaves, unless two of the said slaves at least, clearly and consistently depose to the same fact or circumstance, such slaves being examined apart, and out of the hearing of each other"!

Now, my Lord, I will suppose a case. Let the owner direct his driver to flog his wife with cruelty; a case perfectly possible and legal (except as to the cruelty, according to the colonial construction of that word), as the law now stands in Jamaica.

By this act, if the wife gives evidence, and her master is convicted, she and her husband both know that she must remain in bondage to her cruel, and now offended owner. On the other hand, the husband's evidence alone, is by this proviso insufficient to convict. Where, in such a case, is the boasted importance of this addition to the slave code?

Did Mr. Burge frankly communicate even this defect? So far from it, that at pages 988 and 989, he enters into a laboured argument to prove that even the infliction of thirty-nine lashes under the 34th section of the consolidated slave law (corresponding with the 37th section of the act of 1826), might be an offence under another section of the same act! The following are his words:—

"I am desirous of correcting an erroneous notion which appears to prevail, and which has been stated elsewhere. The consolidated slave law says, in the 34th section,—‘That no slave on any plantation or settlement, or in any of the workhouses or gaols in this island, shall receive more than ten lashes at one time, and for one offence, unless the owner, attorney, guardian, executor or administrator, or overseer of such plantation or settlement having such slave in his care, or keeper of such workhouse, or keeper of such gaol, shall be present; and that no such owner, attorney, guardian, executor, administrator, or overseer, workhouse-keeper or gaol-keeper, shall on any account punish a slave with more than thirty-nine lashes at one time, and for one offence, nor inflict nor suffer to be inflicted such last-mentioned punishment, or any other number of lashes, twice in the same day, nor until the delinquent has recovered from the effects of any former punishment, under a penalty not less than ten pounds nor more than twenty pounds for every offence, to be recovered against the person directing or permitting such punishment in a summary manner, upon conviction before any three magistrates, by warrant of distress and sale: and in default of payment, the said magistrates are hereby re-

quired and empowered to commit such offender to the common gaol for any space of time not exceeding ten days, besides being subject to be prosecuted by indictment in the supreme or assize court or courts of quarter sessions of this island as for an offence committed against this act.' It has been said that this clause gives to the owner or overseer an authority to inflict thirty-nine lashes at any one time, and that he might do so without regard to the cause for which those thirty-nine lashes were inflicted; in short, that it is a law sanctioning the infliction of that degree of punishment; now I have no hesitation in stating that an overseer, although he did not exceed the number of thirty-nine lashes, although he inflicted even less than thirty-nine lashes, might make himself amenable to the subsequent clause of the act, which subjects him to prosecution for maltreating or *wantonly* whipping, beating, or punishing the negro, because, if causelessly he inflicted thirty-nine lashes, if he inflicted them on any of the pretences which it may be supposed he might have availed himself of, I should consider that he had been guilty of wantonly whipping, or beating, or of the offence of maltreating, in the language of the twenty-ninth clause of the act, and liable to be prosecuted for that offence; and I have no doubt, speaking from my experience of juries, that *establishing before them* that those thirty-nine lashes had been given *causelessly*, or on a mere pretext, his conduct would have been considered as wanton punishment or as maltreatment within the meaning of the law, and an indictment against him would have been sustained. I know, in respect to the language of that clause, it was expressed in terms sufficiently comprehensive to meet every case of cruel treatment, by inflicting any number of stripes, whether exceeding or less than the number mentioned in the 34th clause."

Was there ever a more specious or delusive argument? Was it ever denied, that even a single blow might be so inflicted, as to mutilate or dismember? and of course such a blow need not be repeated nine and thirty times to fall within the act. Yet Mr. Burge, under cover of a hypothetical case like this, would insinuate that even thirty-nine lashes cannot be legally inflicted, unless sufficient cause be shown! He does not *say* this; he leaves it to be inferred from what he does say. He would wish the very existence of this arbitrary power to be considered a vulgar error! Whether it is so or not, shall be proved by the act itself. The clause runs as follows:—

"And in order to restrain arbitrary punishment, be it further enacted, by the authority aforesaid, that no slave on any plantation or settlement, or in any of the workhouses or gaols in this island, shall receive more than ten lashes at one time, and for one offence, unless the owner, attorney, guardian, executor or administrator, or overseer of such plantation or settlement, having such slave in his care, or keeper of such workhouse, or keeper of such gaol, shall be present; and that no such owner, attorney, guardian, executor, administrator, or overseer, workhouse-keeper, or gaol-keeper shall on any

account punish a slave with *more* than thirty nine lashes at one time, and for one offence, nor inflict, nor suffer to be inflicted such last-mentioned punishment, nor any other number of lashes on the same day, nor until the delinquent has recovered from the effects of any former punishment, under a penalty of not less than ten pounds," &c.

If your Grace is not yet satisfied, that it was the imperative duty of their Lordships to have mistrusted this learned evidence, at least so far as to have called for the act itself, I will make another quotation from Mr. Burge, which, when compared with the statute, I think you will admit to be conclusive. He is asked at page 989, the following question:—

"Is there any other punishment than fine and imprisonment for the act of maiming a negro?"

"There is a power given to the court to place the negro completely out of the reach of the owner who had inflicted upon him such an outrage; in short, the court, for any species of cruel treatment, *proved to its satisfaction*, HAS THE POWER of removing that person so treated from bondage, and giving him his freedom, and imposing upon the delinquent a penalty, which goes to the justices and vestry of the parish to which the slave belonged, in order to support him afterwards; or, in case there be no penalty imposed, the justices and vestry are bound to protect that person so manumitted."

Here Mr. Burge distinctly and positively *swears*, that the court for any species of cruel treatment, *proved to its satisfaction*, *has* the power of removing that person so treated, from bondage, and giving him his freedom.

Compare this assertion with the 132nd section that I have already quoted. I will give the exact words.

"The court shall not be at liberty to exercise the power given by this act for declaring any slave free, and discharged from all manner of servitude, where the owner of such slave has been convicted of particular offences—if any slave shall have been sworn upon the trial as a witness on the part of the prosecution"!!!

Which are we to believe, the statute or Mr. Burge? The words of either appear equally positive, and yet they are in direct contradiction"!!!

I will take yet another of these vaunted "additions," on which Mr. Burge makes much comment in his *first speech* at page 970. It is the 14th section of the act of 1831 (the 16th of the act of 1826), and which he *assumes* to give the slave a right of possessing property. I must observe however, here, that though from the manner in which Mr. Burge speaks, it seems doubtful whether he was aware of it, the two acts differ materially in an important particular, making the act of 1826 in some respects, more favourable to the slave. As the law stands, however, upon the recent act, not only is it *very equivocal* whether it has any enabling operation at all, to invest the slave with a right of property,

but it is *very clear*, that however deficient in *this* respect, its *restrictive* operation is extensive, and well defined! I will not revert to the "laconic" explanation of the "Jamaica lawyer," already given above at page 30, but I will entreat your Grace to notice, that waiving a laugh at the Irishism of conferring the right of lawful possession of that which may be lawfully possessed, without defining what may be lawfully possessed, the proviso that all property above £25 in value, must be recovered in the courts of the island, *but that no slave shall sue except in his owner's name*, leaves the poor slave exactly where he stood, as regards property beyond that limit: it is his master's, not his; for if his master takes it from him, its value deprives him of a remedy; he cannot sue "except in his master's name!"

Did Mr. Burge point out the absurdity of this most important addition? It certainly was not necessary, for the difficulty had been already warmly argued before your Grace; yet in good faith, Mr. Burge should have noticed it too, when he quoted the right of property as an amelioration of the planters, consequent on Mr. Canning's resolutions. And if Mr. Burge failed to do so, it should have been extorted from him by a rigorous examination.

I should here feel disposed to take my leave of Mr. Burge. I have said more than enough to lead to a right estimate of his evidence, but I have not yet quite done with him. Will your Grace please to turn to page 968? the witness has there been mentioning that His Majesty withheld his assent from the act of 1826, in consequence of certain clauses which it contained respecting sectarians and nightly meetings. He is then asked,

"Was the spirit of that clause one of intolerance or of police?"

"*I am perfectly satisfied it did not originate in a spirit of religious intolerance. I was in the island at the time, and as attorney-general taking a very active part in promoting the passing of that law, not only publicly, but by my private and personal intercourse with members of the assembly, with most of whom I was on very friendly terms. The attorney-general of Jamaica, from his connexion with the government, must feel a great interest in keeping the assembly on good terms with the governor, and through him with the government here, and he feels an interest in endeavouring to promote the best understanding between the government and the assembly. From these considerations I had a great deal of communication with the members of that house; and I say to your Lordships, as I have previously said to his Majesty's ministers, that I am convinced those clauses were not introduced into the law with the slightest feeling of hostility towards the sectarians in respect of their religious tenets. I am quite convinced that the sole motive in causing the introduction of those clauses was a desire to maintain the police of the colony, to prevent those excesses to which the midnight meetings gave rise,*

equally injurious to the health of the slave and to the tranquillity of the colony, to protect the slaves from a system of extortion which was generally practised upon them by collections made at the different meeting-houses, and to prevent the slaves from being exposed to religious instruction from those who were ignorant or indiscreet, or of heated and enthusiastic temperaments of mind. Hostility towards the sectarians as a religious body formed no motive for the introduction of those clauses."

Will your Grace please to compare this broad denial of all religious intolerance, with some of the correspondence that lies on the table of your house.

I begin with Mr. Huskisson's dispatch, of the 22nd of September, 1827, in which he points out the enactments of the law of December, 1826, which he thought to be *opposed to the principles of religious toleration*, and expressed himself strongly upon them.

I next refer to Mr. Huskisson's dispatch of the 22nd of March, 1828, where he reiterates his objections, and suggests the principles which should guide the assembly in their control of religious instruction.

I will now quote a letter from Lord Belmore to Sir George Murray, of the 20th of December, 1829.

"I regret extremely," says his Lordship, "that one clause has been left in this bill, creating a more marked and invidious distinction between the sectarians and ministers of the established church, than those which occasioned the rejection of the act of 1826. I watched this measure through its whole progress, and *used every exertion in my power* to effect the removal or modification in this clause. I enclose a copy of the amendments proposed by the council to this bill, in which they endeavour to destroy the distinction between sectarians and ministers of the established church, but their endeavours failed in success."—(Vide part 1 of papers presented to Parliament in July, 1830, No. vii. page 5.)

Sir George Murray in his despatch of the 8th of April, 1830, in reply to this letter of Lord Belmore, observes,

"The present is the *third attempt* which has been made in the course of three years to introduce the law *respecting religious worship*, in opposition to most *distinct and repeated expression* of His Majesty's disapprobation of the principles upon which it provides."

Thus we see that a continued controversy was maintained between the house of assembly and the colonial secretary, from the act of 1826 to the act of 1830, turning altogether upon the question of "religious toleration." Yet Mr. Burge declares himself perfectly satisfied that the clause in question did not originate in "a spirit of religious intolerance;" that "hostility towards the sectarians, as a religious body, formed no motive for the introduction of those clauses;" although by the same act,

Catholics and even Jews, as well as the church establishment, were excepted from their operation !

What can Mr. Burge mean when he talks of religious intolerance ?

I promised to sift the accuracy of Mr. Burge's law respecting the separation of families by sale ; on which he makes a very professional display in his *concluding speech* at page 1040. I must give this in his own words.

" I do not know whether your lordships have had any evidence given to you on a subject which excites a great deal of feeling in this country : I mean the possible separation of families. A very old act of the colonial legislature, an act of the eighth George the Second, prohibited the marshal, in other words the sheriff, who has to execute writs, from selling slaves otherwise than in families ; and although perhaps the language of that clause was not very precise and strict, yet the supreme court of the island, over which there has been presiding for many years as chief justice a barrister and a gentleman of education and liberal attainments, in the construction of that clause, and in enforcing its execution, would have interposed for the purpose of preventing the separation. I beg further to add, that with respect to the sales which take place by voluntary contract, a practice prevails of not separating families. Independently of considerations of humanity, the owner of the slave so to be sold has a direct interest in procuring the best price, and he certainly would not obtain the best price if he sold them singly ; a greater price would be given for the same number of slaves in a family than would be given for them separately. Now, with respect to the sales that take place under the decrees of the Court of Chancery, which is another mode in which they take place, the Master of the Court of Chancery who has the conduct of the sale takes care that they are sold in families. Another mode of sale takes place by means of private bills ; no bill would receive His Majesty's assent here, which, being a private bill, would be requisite, if there was not an express provision contained in the act that the slaves should be sold in families. It was only the other day that a gentleman who had obtained an act of the legislature of Jamaica to enable him to sell certain slaves came to me and informed me that objections were entertained in the colonial office to the passing of that act. He produced to me the act, and, having read it, I said at once, ' You need not assign to me the reason for the King's assent not being given, for I find that it has not the clause which is always inserted for the sale being made in families.' It is not true, as is generally asserted, that families may be sold separately."

Your Grace should particularly notice the terms of this learned explanation ; he alludes to the four principal classes of sale :—

First, sale by the provost—marshal, or sheriff.

Secondly, by voluntary contract.

Thirdly, by decree of court.

And lastly, by private acts.

With respect to the first of these classes of sales, under the act of the eighth of George II., which is I believe now repealed, see how cautiously he expresses himself. "The supreme court of the island *would* have interposed to enforce the clause, though its language was not very strict or precise." How can Mr. Burge answer for the supreme court of the island? But it would not have been expedient for Mr. Burge to have expressed himself less cautiously, inasmuch as I find at page 52, of the papers presented to Parliament in 1827, Part I., an opinion of Mr. Burge on this very act, beginning as follows:—"Although it might seem from the language of the eighth of George II., chap. v., that it was *not* imperative on the *provost marshal* to sell in families, yet it has been the practice," &c.

Cautious as he is, I think Mr. Burge has gone quite far enough in swearing that the supreme court in the construction of that clause, and in enforcing its execution, *would* have interposed for the purpose of preventing the separation after he had thus given an official opinion that the clause admitted of no such construction!

In the second class of sale, voluntary contract, as he calls it, he virtually admits that there is no "law" of prohibition, for he rests it upon "practice" founded upon the interest of the owner.

Here then it seems that it is true that families *may* be sold separately! Had there been a law to prevent it, would he not have quoted it? and so far from interest ensuring the universality of the practice, I can conceive twenty cases, in which both interest and convenience would combine to make a sale of domestic separation desirable to the owner.

In the third and fourth cases, I admit that the court and the legislature may, if they please, prevent it; but these are rare cases compared with the general traffic. The bulk of slave sales are voluntary; and in every voluntary sale, it is most indisputably true, let Mr. Burge say what he will, that families *may* be separated by sale.

Mr. Burge knows very well that, previously to the Act of 1826, a bill to this effect formed one of the eight transmitted to the assembly, by Lord Bathurst; the draft of which Mr. Burge *himself* revised, but which the House of Assembly *would not* adopt.

Mr. Burge farther knows that, in the rejected bill of 1826, the only restrictive clause upon separation, regarded the case of a *levy* made of a family jointly, but there was an express proviso that the act should *not* interfere with individual levies. This was the fifth clause.

He also knows that this same clause was repeated, in the same words, in the rejected act of 1829.

And, lastly, he is aware that the act of 1831, which is now in force, *contains the same words and no other.*

If then such has been the state of the law, from 1826 to this hour, what does Mr. Burge mean when he swears, "It is *not* true, as is generally asserted, that families may be sold separately"?

It would be indeed unpardonable, if I were to omit calling your Grace's pointed attention to the attempts made by Mr. Burge, in many parts of his evidence, to impeach the testimony of the witnesses already examined.

By what right, I ask not upon what authority, but by what right, could *he* claim the privilege of depreciating the missionary witnesses? He was not present at their examination. He could not have known, unless by breach of privilege, what they had stated.

Yet, presuming upon the indulgence which had been shown him, and eager, by anticipation, to counteract the weight of the missionary testimony, he dares to speak to their Lordships of

"Statements by individuals of strong feelings and prejudices, who, under the influence of those feelings and prejudices, have given to their representations a colouring which does not belong to them;—who have greatly exaggerated some circumstances, and have related others on hearsay, and for which they had no sufficient authority"—
(Vide page 1041.)

And again, speaking of Mr. Taylor at p. 1039, he observes,

"I do not mean to say that Mr. Taylor intended to represent that which was untrue; but a man who is a perfect enthusiast certainly does not bring to the consideration of circumstances, the sober and calm judgment with which he ought to examine them."

Once more: this witness, who is so indignant at hearsay evidence, quotes to your Grace a *newspaper report* of some speech of Mr. Barry, and tells their Lordships that

"He refers to that paper, because he is aware their Lordships have had before them Mr. Knibb, Mr. Barry, and Mr. Duncan. They may have represented cases of cruelty—cases calculated to harrow up the feelings of those to whom they have been communicated. But it would be an act, he ventures (!!) to say, of gross injustice, if their representations were deemed to be true, before an opportunity had been offered to persons in the island, conversant with all the circumstances, of giving their explanation or their refutation"—(Vide page 1038.)

And thus, in the same spirit, at page 976, he endeavours to excite a prejudice, as he admits, upon mere "supposition," mere speculative "consideration," against a man whose name will be associated, by all good men, with every thing that is good and great, when it is forgotten that a Mr. Burge ever existed. The

late Mr. Stephen—it would degrade his memory to vindicate him from the reproaches of a hundred Mr. Burges.

There is also a dark insinuation of this gentleman at page 982, which must be exposed.

“There is another circumstance which is also apparent in his confessions, and it is this, that the negroes implicated in this rebellion appear to have known of the intention to recall Lord Belmore six weeks before the despatch was sent from this country to Lord Belmore, for the first time announcing the intention of the government to recall him.”

“Did they take that from the newspaper?”

“I do not believe the intention to recall Lord Belmore was ever surmised in the newspaper at all. I can only account for the slaves understanding that Lord Belmore was to be recalled by believing that communications must have been made to them by persons in this country who reasoned upon their belief that they could procure the recall of Lord Belmore. In no other way can I account for the confident opinion the negroes entertained that Lord Belmore was to be recalled.”

Does he in this mysterious way presume to infer treachery? Why does he not speak out? Because he knows full well that there needs no recourse to such extravagant suggestions. The solution is obvious and satisfactory:—the confession is cooked up by colonial trickery, to gull the British public. Ere their Lordships allowed a reference to such confessions, and, yet more, before they permitted their witness here and elsewhere to build on them insinuations to the prejudice of others (vide page 1038), they should have enquired how they had been obtained.

If I advert at all to those contemptible insinuations, it is only to remind your Grace that, as chairman of the committee, it was imperative upon you at once to silence the colonial babbling, which sought under cover of its protection to convey to the public ear injurious reflections upon individuals who have no opportunity of meeting such accusers face to face, and covering them with the shame they richly deserve.

How happened it that you did not feel it an incumbent duty to silence a witness, who presumed thus to call in question the veracity or fidelity of others? Can your Grace suppose that the public will not feel with me, how gross was the insult thus offered by the witness, not only to the missionaries and Mr. Taylor, but, through their committee, to the House of Peers? or that the same public are so blind as not to see that such unexampled licence would never have been allowed to any man, who was not sustained by the avowed protection of those, through whom this insult was conveyed?—or that, seeing this, the public will not appreciate the noble tribunal?

I have spent more time upon Mr. Burge than he merits; and I have departed from my avowed intention of treating argument,

in the mouth of a witness, with disdain. But I have done so only to show how easy is the exposure of all colonial sophistry, even without the aid of cross-examination. I must return to my proverbs. I am worse than Sancho: "Give a dog rope enough and he will hang himself." And thus it has been with Burge,—swagging in all the pomposity of legal reputation, and confiding in the good-natured credulity, or perhaps the yet more good-natured knowledge, of the friends around him, the man has plunged himself into an abyss of legal error, which, if it adds to his reputation as a colonial advocate, will mar it, I fear as a colonial lawyer. But, like all his coadjutors, he has aided the cause he meant to injure; for not only has he proved his own inaccuracy, where he ought to have been well-informed, but he has shown the kindness and good-will towards him, of those noble auditors who, on this occasion, ought sternly to have affected ignorance even of his name!

I promised in the commencement an abstract of the colonial evidence, classifying it under the principal heads of enquiry; but I find it extremely difficult to redeem this promise. My first difficulty arises from the inconsistencies which I have pointed out in the preceding pages; for example, how am I to class the evidence of a man upon the subject of moral improvement, when in one page he states it to be considerable, and in the next avows that falsehood, dishonesty, and licentiousness are as much as ever, prominent traits of the negro character?

Another difficulty proceeds from the meagre, indefinite, style of the examinations. Several of the witnesses are examined at great length, and yet it is impossible to discover what is the immediate drift of the committee:—the questions are rambling, desultory, and irrelevant; and of course, the answers partake of the same character. I may instance the examination of Halsted, Curtin, Dignum, and Sharp. It is difficult to find a reason for calling of any one of these men, judging from the questions which were put to them; Dignum, it is true, had lately returned from Jamaica, and had been a captain in the militia during the disturbances; but, for any thing that appears in his testimony, he is as profoundly ignorant, even of the nature and causes of the insurrection, as one of our volunteer cockney captains would have been of the peninsular war. In this dilemma, compelled to arrange chaotic confusion, I must discharge myself of my promise as best as I may: I will therefore arrange on a separate sheet those topics which ought in my judgment to have formed the basis of the enquiry, and class under each the information, such as it is, which I have been able to collect. I have already adverted at page 9 to this classification of the subject. (*See separate sheet.*)

This summary, my Lord, though not always given in the exact words of the witnesses, will be found to convey their meaning correctly. I have only altered the phraseology here and there for the sake of grammar or brevity. Lest it should be supposed, however, that any alteration of the sense is intended, I have carefully given a reference in every case to the original evidence. I honestly believe, and I think your Grace will agree with me, that if I have erred at all, it has been on the colonial side, in assuming much that is here stated *to be evidence* fairly given, when, coupling it with the exposure already made, it scarcely deserves the name. In truth, the whole colonial case is, after all this boasted enquiry, so unsound upon its own showing, so confessedly trumpery in its character, that now, when I have finished my task, I feel more than half ashamed at having troubled either your Grace or myself with its dissection. The rest of my duty is of a more satisfactory, as well as of a graver character. I can promise your Grace but little amusement; but either to you or to others who are willing to go a step farther, whether for the sake of humanity, or of acquiring correct colonial information of deep political import, my next letter will afford matter of much interest and serious reflection. The extracts I shall hereafter give are not unlikely to kindle an alarm even among the West Indian body; for they may perchance awaken the reluctant suspicion that the day of reckoning is at hand!—the day of atonement almost past!—that it is even now a matter of doubt whether legislative emancipation will not be anticipated by self-extrication from the bonds of slavery! I confess to your Grace that such is my own feeling. Knowledge is every where in advance, both of religion and morality. No man can look around him without observing this; nor is it difficult to account for it: literature has become cheap, education is universal, but the opportunities of religious instruction have not been enlarged in proportion. Such too is the case in every colony. The slave, miserable and degraded as his condition long has been, has at length begun to share in this general intellectual improvement: he is gradually discovering his strength—his eyes are more rapidly opening to his unnatural exclusion from the pale of civilized life—and in Jamaica he has made one great, persevering, and therefore most alarming effort, to regain his position in the scale of humanity. He will not stop here; men who could hold out for months, when hunted down like wild beasts by the ferocious impunity of martial law,—men who set at defiance the bullets and bayonets of well armed enemies, though unable to return blow for blow—men who would not yield, though their brethren were offered up in hecatombs in exchange for a single life,—men like these, your Grace may be assured, will never again sit down in tame tranquillity to have their manacles

replaced, and the scourge once more dyed with their own and their childrens' blood.

So completely do I, and as I believe, three-fourths of the Anti-Slavery party feel convinced, that a sanguinary abolition is at hand, that, answering for myself if not for them, I can truly assert my principal motive for the part I take, no longer to be the assistance of the wretched African, but to avert that dreadful catastrophe which the folly of his oppressor is about to bring down, not merely upon himself, but upon thousands and tens of thousands of my fellow countrymen.

I have the honour to be

Your Grace's very obedient Servant,
LEGION.

SUMMARY OF THE COLONIAL REVIEW

NOTHING is more probable than that the partisans of the colonists may detach this sheet from the context, and refer to it, pro tanto, as the admission of evidence produced before the Lords' Committee. There is no trick, however mean, of which a true colonial controversialist is incapable; I therefore am not surprised to find, upon the same page, of the general tenor of my remarks in the preceding pages. I have proved all the colonial witnesses to be more or less incapacitated by ignorance, or guilty of gross inconsistency. In some instances I have convicted every witness of incompetency upon each of these grounds, and in some I have proved them to be guilty of gross inconsistency. I have not even once had recourse to the contradictions of their opponents. I have also shown, that on the part of their Lordships, there is no disposition to indulge these witnesses with opportunities of explanation, to enable them to reconcile their incongruous answers, but all without success: it must therefore be borne in mind, that there is not a single witness quoted, whose evidence on the colonial side is not open to suspicion; and that the quotations here made are to be received as an atom of credit, except so far as a reader of the preceding pages may consider that the exposure there made leaves their credit untouched.

GENERAL TREATMENT.

THE DUKE OF MANCHESTER represents the treatment to be good, the food of the slaves abundant, the clothing equal to their wants (p. 3), their dwellings remarkably good, and the enjoyment of their property to be secure (p. 4); but at page 385 he admits that they possess no property by law.

MR. HINCHCLIFFE represents the situation of the slave to be exceedingly good indeed (p. 13), his general treatment to be good and kind (p. 14), the treatment of such as are domestics to be more indulgent than in this country (p. 322), their property to be secure and considerable (p. 17), but admits that it could not possibly be the subject of litigation with the master (p. 323), and acknowledges the difficulty to be considerable in the way of a slave proving his title to freedom unless it is a matter of record (p. 328).

MR. BAILLIE represents the slaves to be happy and contented, and sufficiently provisioned (p. 22), their property to be uniformly protected (p. 23), the slave hut to be sacred from intrusion (p. 32), but continuous labour to be indispensable (p. 49).

MR. SHAND represents the slave comforts to be very great (p. 187), their property to be considerable (p. 189), that the slaves are independent of their master's clothing (p. 194), that their labour is inconsiderable (p. 197), their medical treatment good (p. 198); but also avows that their labour must be unlimited (p. 202), and that there is much absconding (p. 208).

SIR MICHAEL CLARE represents their medical treatment to be good (p. 264); starvation or over-working to be unknown (p. 273); and that the slave is never unhappy (p. 284).

SIR LAWRENCE HALSTED represents the reports of the habitual ill-treatment of slaves to be unfounded (p. 291), their general appearance to be quite the contrary to that of ill usage (p. 293), their huts to be very comfortable (p. 294), and that they are better off than the English peasantry (p. 299), admitting, however, at p. 302, that he is ignorant of their hours of labour.

COLONEL MACDONALD, speaking almost entirely of Honduras, represents the treatment of the slave to be better than in any country (p. 308); but speaking of Jamaica, where he had

a subsequent part of his examination he states there would be a great difficulty in establishing parochial schools (p. 112), that the slaves have had no education (p. 120 and 144), and that no negro reads or writes (p. 156).

MR. SHAND represents that on all the properties under his charge, means are taken to instruct the slaves (p. 200, 201); though he knows no instance of field negroes being able to read (p. 204), still that ample opportunity is given for religious instruction (p. 220); that a great many places of worship are established (p. 224), but he also considers that it is not advisable to teach the slaves to read till they are otherwise instructed (p. 240); and that industry is a necessary introduction to morality and religion (p. 240).

SIR MICHAEL CLARE is too mysterious for me to venture to give his opinion on the subject of instruction in any words but his own. The following statement will be found at page 275:—

“I have seen with regard to teaching them Christianity the children make great progress, but I have several times had the misfortune of hearing them severely punished by their father and mother when they returned home to them; and the way in which they punish them is by accusing the children of having spoken lies to Buckra, which is lies to white people; whereas the real fact was that they spoke the truth to white people, and they punish them in this unmerciful manner for having uttered truth: they just pervert the sense of words in that appellation.”

As he leaves this entirely unexplained, and their Lordships have not appeared very anxious as to his meaning, I must leave the answer as I find it. He adds, however, at page 280, that he does not find much good effected with the adult slaves by the clergy.

COLONEL MACDONALD considers that more attention is paid to the religious wants of the slaves than in England (p. 308); but he knows no instance of an episcopalian clergyman visiting a slave at his house or giving him private instruction (p. 393).

THE REV. JAMES CURTIN represents that during thirty-one years, the advance of the slaves has been to a degree almost incredible (p. 345 to 347), that 220 (the population being 30,314) could read in 1824, that no obstruction was offered to religious instruction (p. 349), but that slaves could not regularly attend

with indecency (p. 29); but at p. 109 he admits that he cannot name any overseer, driver, or other person in authority, who does not keep a mistress.

MR. SHAND is of opinion that marriage can serve no good purpose (p. 219).

SIR MICHAEL CLARE states that the proprietors never attempt to check polygamy (p. 276), and that the female slaves procure abortion not to lose the society of the negro during pregnancy (p. 275, 279).

COLONEL MACDONALD, speaking of Honduras, states that the slaves are not licentious, and that marriage is much encouraged (p. 314, 316).

DISCIPLINE.

THE DUKE OF MANCHESTER observes that of course the drivers use the whip (p. 389), that hundreds of them may be seen without knowing what they are (p. 390).

MR. HINCHCLIFFE admits the system of driving (p. 248), that the industry of the slave is compulsory (p. 331), and that women as well as men are flogged, and by men, on the posteriors. (p. 339.)

MR. BAILLIE asserts at p. 41 that the whip is not used, at p. 42 that corporal punishment is very rare, at p. 45 that females are never flogged, at p. 41 that the whip has not been used since the abolition; but at p. 128 he admits that it was used till 1815, at p. 153 that driving is practised, at p. 160 that confinement in the stocks is resorted to, at p. 116, 152, and 155, that compulsion is indispensable, and lastly, at p. 120, that the punishment may extend to 39 lashes.

MR. SHAND states that the whip is used, but not so frequently of late (p. 204), that all are liable to corporal punishment (p. 229), that the whip or the cat is indispensable (p. 237), and that the driver always carries it (p. 240).

SIR MICHAEL CLARE represents that severity of punishment is of rare occurrence (p. 267), but still that he has known foul and flyblown sores, arising originally from punishment, that the negro is confined in the stocks till the sores get well (p. 269); but still he never knew a case of punishment of a field negro

and thinks whether the England (p. 109) remedy for injury to his own entitled to more than £25 in a year. MR. BAILLIE complains (p. 44); that punishment (p. 55 and 108).

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COLONEL MACDONALD, speaking almost entirely of Honduras, represents the treatment of the slave to be better than in any country (p. 308); but speaking of Jamaica, where he had paid two visits, one for two months, and the other time for three, he states, that within three weeks he totally changed his mind as to the treatment (meaning from an unfavourable to a favourable impression) (p. 392).

THE REV. JAMES CURTIN represents the slaves to be comfortably situated, well, cheerful, and happy, contented with their allowances (p. 349), and riding their own horses to church (p. 353).

MR. SHARP represents their labour to be reasonable, their property to be freely enjoyed (p. 780), and their condition much improved of late years (p. 781).

MR. BURGE enumerates in a very imperfect manner provisions by the Colonial Legislature for facilitating manumission (p. 968), for admitting the evidence of slaves, and their enjoyment of property (p. 976), and for securing the bequest of freedom as personality, and abolishing Sunday markets after 11 o'clock (p. 971), but he admits that the securities and means of protection given by practice are infinitely greater than the law affords (p. 991); he also represents that greater attention has been paid to the comforts and condition of the slaves within the last twenty years (p. 1034), that the owner has involved himself more and more in debt for the purpose of supporting his slaves (p. 1035), yet that he has no interest in extorting from them undue labour (p. 1039), and he endeavours in a mysterious way to insinuate at p. 1040 that slaves cannot be separated by sale.

GENERAL INSTRUCTION.

THE DUKE OF MANCHESTER represents the slaves to be more enlightened and more improved (p. 4), though he certainly never knew a slave receive the sacrament (p. 389).

MR. HINCHCLIFFE, so far as he is intelligible, appears to mean that the slave has made but small progress in instruction (p. 14 to 17), and knows no instance of a slave being taught to read by an episcopalian clergyman; though he believes the planters generally are sincerely desirous of extending the knowledge of Christianity (p. 337), but he never attended the sacrament himself (p. 338).

MR. BAILLIE states that there is considerable improvement in moral and religious feeling (p. 22, 23), and that schools are encouraged (p. 24); but still he considers that religious instruction by the established church is almost impossible, and states that it is not enforced by law (p. 52, 53); he adds too his opinion that education cannot prepare the slave for freedom (p. 60). In

the answer as I find it. He adds, however, at page 280, that he does not find much good effected with the adult slaves by the clergy.

COLONEL MACDONALD considers that more attention is paid to the religious wants of the slaves than in England (p. 308); but he knows no instance of an episcopalian clergyman visiting a slave at his house or giving him private instruction (p. 393).

THE REV. JAMES CURTIN represents that during thirty-one years, the advance of the slaves has been to a degree almost incredible (p. 345 to 347), that 220 (the population being 30,314) could read in 1824, that no obstruction was offered to religious instruction (p. 349), but that slaves could not regularly attend his schools (p. 397).

MR. DIGNUM thinks that bad instruction was given in the Methodists' chapels, though he never attended them: for he thinks they were in the habit, at these chapels, of teaching the slaves that they had but one God (p. 819).

MR. SHARP only observes, on this head, that the slaves are very lax in keeping Sundays (p. 784).

MR. BURGE represents that £24,994. 14s. 8d. is a fair average of the annual expenditure by the colonial legislature for religious instruction by the clergy, and considers that there is a general disposition among the people in Jamaica to extend religious instruction (p. 972), and he adds, at p. 986, that the planters are not averse to it.

RELIGIOUS LIBERTY.

MR. BURGE, who is the only colonial witness by whom an opinion is given, or of whom a question is directly asked upon this head, quotes it as an instance of religious toleration, that Catholics and Jews have been admitted by the colonial legislature to the privileges of Christian subjects (p. 973), and were permitted by the disallowed act of 1826 to celebrate divine worship between sun-rise and sun-set, though this privilege was withheld from the sectarians; but he adds there were very few Jews or Catholics among the slaves (p. 974); he states that jealousy of the missionaries prevails, and that he himself shares it, and thinks it better that religious instruction should be communicated by the church of England (p. 997). In speaking of the missionary instruction, in answer to a question whether any effect has been produced on the minds of the slaves by certain texts of Scripture, such as "the liberty with which Christ maketh you free," "you cannot serve God and mammon," &c., he says,

"I cannot understand how they, bound as they profess themselves to be to preach the whole word, can withdraw from the attention of their uninformed congregation certain texts of Scripture of the nature referred to by this question."—p. 1005.

LICENTIOUSNESS.

MR. HINCHCLIFFE knows not of any slave marriages (p. 337, 343); he cannot venture to say that *all* managers and persons in authority do keep mistresses (p. 344).

MR. BAILLIE represents that marriages have considerably increased (p. 24), that female slaves are certainly not treated

the stocks is resorted to, at p. 110, 102, and 103, that comparison is indispensable, and lastly, at p. 120, that the punishment may extend to 39 lashes.

MR. SHAND states that the whip is used, but not so frequently of late (p. 204), that all are liable to corporal punishment (p. 229), that the whip or the cat is indispensable (p. 237), and that the driver always carries it (p. 240).

SIR MICHAEL CLARE represents that severity of punishment is of rare occurrence (p. 267), but still that he has known foul and fly-blown sores, arising originally from punishment, that the negro is confined in the stocks till the sores get well (p. 269); but still he never knew a case of punishment of a field negro afterwards requiring medical treatment (p. 270).

COLONEL MACDONALD represents that at Honduras he withdrew the power of flogging from the master, and did away with female punishment entirely; that in Jamaica he never saw any whip for slave punishment, but understands that it is used, and that slaves may receive from 29 to 36 lashes (p. 315).

REV. MR. CURTIN merely states that slaves are liable to corporal punishment (p. 359).

MR. SHARP confines his information to the last estate for which he was engaged (he had been attorney for a hundred); and on this estate he says that he prohibited the use of the whip (p. 784).

MR. BURGE represents that from his experience of juries, they would consider 39 lashes causelessly inflicted to be cruelty (p. 989), but he is of opinion that corporal punishment could not be abolished (p. 993), nor the flogging of females by law (p. 1006), nor the use of the whip in the field (p. 1007).

CRUELTY.

MR. HINCHCLIFFE informs us that the instances of cruelty are too few to draw any inferences as to the protection which the law affords against it.—(p. 18.)

MR. BAILLIE states that acts of atrocity cannot be perpetrated with impunity.—(p. 55.)

SIR MICHAEL CLARE at first cannot recollect one act of cruelty (p. 268); but he afterwards mentions two cases of severe punishment, and has no doubt but that he has known more (p. 272). It will be expedient to refer to the head of DISCIPLINE, and observe what Sir Michael Clare admits upon that subject.

REV. MR. CURTIN represents that cruelty is unknown, that there are no severe or unnecessary punishments (p. 349), he afterwards however admits his knowledge of some few atrocious cases at pages 401 to 403.

MR. BURGE states that an overseer convicted of cruelty would not find employment; the moral feeling of the country would be a bar to his advancement (p. 1039).

REDRESS.

THE DUKE OF MANCHESTER represents that negro trials resemble courts martial (p. 387).

MR. HINCHCLIFFE considers that a Court of Protection secures redress (p. 20); he admits however that groundless complaints may be visited by summary punishment (p. 247);

justice.

MR. BURGE was discharged by a Grand Jury; that it was carried into effect by the Governor (p. 302), applying to the case brought before justice done (p. 302).

DEE

MR. SHAND represents that sugar estates in Jamaica

SIR MICHAEL CLARE represents that children are born pregnant at the Creole is the only one to proportion to other places; waste of life has come from Africa.

COLONEL MACDONALD represents that the slaves of sexes (p. 31), that both sexes are liable to punishment, that the whip is used on the slave in Honduras.

MR. SHAND represents that the Creoles are the portion holders there are sixty.

MR. BURGE was inaccurate large proportion.

SIR JOHN CURTIN represents that five or six have them (p. 166).

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and thinks that it should be considered by their Lordships whether the same principle should not be introduced into England (p. 248); he also admits that the slave has no civil remedy for injury (p. 343); but here I conclude that he is referring to his own time, as by the consolidated slave law of 1831 he is entitled to relief provided he is deprived of property of less than £25 in value.

MR. BAILLIE states that the slave has every facility to make complaints (p. 23), that the overseer is regarded as a protector (p. 44); that acts of atrocity cannot be perpetrated with impunity (p. 55), and that the slave generally obtains justice (p. 77 and 108).

MR. SHAND limits his evidence on this head to the fact that the slaves are sufficiently protected by the laws (p. 187).

SIR MICHAEL CLARE is equally laconic; he only states that complaints are never impeded (p. 276).

SIR LAWRENCE HALSTED states that he has no particular knowledge of the way in which the law is administered, but that the slave has the means of obtaining redress from the disposition of the whole population (p. 297).

REV. MR. CURTIN states that the slave has immediate access to the Magistrate (p. 351).

MR. DIGNUM represents that slaves make no complaint of the formation of the court, or of the selection of the jury, when put upon their trial for criminal offences; that their feeling certainly is that they can obtain justice against oppression (p. 959), that the general character of the Magistracy is not to withhold justice.

MR. BURGE represents that the law of 1826 (which by the way was disallowed) secured to the slave the advantage of a Grand Jury (p. 970); that it empowered slaves to give evidence; that it re-enacted that sentence of death should not be carried into execution without being communicated to the Governor (p. 971); that the slave has means at all times of applying to the magistrates (p. 986); and that all cases are fairly brought before the court, and every disposition exists to see justice done (p. 989).

DECREASE OF POPULATION.

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MR. BAILLIE represents that marriages have considerably increased (p. 24), that female slaves are certainly not treated

the stocks is resorted to, at p. 116, 162, and 166, that compulsion is indispensable, and lastly, at p. 120, that the punishment may extend to 39 lashes.

MR. SHAND states that the whip is used, but not so frequently of late (p. 204), that all are liable to corporal punishment (p. 229), that the whip or the cat is indispensable (p. 237), and that the driver always carries it (p. 240).

SIR MICHAEL CLARE represents that severity of punishment is of rare occurrence (p. 267), but still that he has known foul and fly-blown sores, arising originally from punishment, that the negro is confined in the stocks till the sores get well (p. 269); but still he never knew a case of punishment of a field negro afterwards requiring medical treatment (p. 270).

COLONEL MACDONALD represents that at Honduras he withdrew the power of flogging from the master, and did away with female punishment entirely; that in Jamaica he never saw any whip for slave punishment, but understands that it is used, and that slaves may receive from 29 to 36 lashes (p. 315).

REV. MR. CURTIN merely states that slaves are liable to corporal punishment (p. 359).

MR. SHARP confines his information to the last estate for which he was engaged (he had been attorney for a hundred); and on this estate he says that he prohibited the use of the whip (p. 784).

MR. BURGE represents that from his experience of juries, they would consider 39 lashes causelessly inflicted to be cruelty (p. 989), but he is of opinion that corporal punishment could not be abolished (p. 993), nor the flogging of females by law (p. 1006), nor the use of the whip in the field (p. 1007).

CRUELTY.

MR. HINCHCLIFFE informs us that the instances of cruelty are too few to draw any inferences as to the protection which the law affords against it.—(p. 18.)

MR. BAILLIE states that acts of atrocity cannot be perpetrated with impunity.—(p. 55.)

SIR MICHAEL CLARE at first cannot recollect one act of cruelty (p. 268); but he afterwards mentions two cases of severe punishment, and has no doubt but that he has known more (p. 272). It will be expedient to refer to the head of DISCIPLINE, and observe what Sir Michael Clare admits upon that subject.

REV. MR. CURTIN represents that cruelty is unknown, that there are no severe or unnecessary punishments (p. 349), he afterwards however admits a knowledge of some few atrocious cases at pages 401 to 403.

MR. BURGE states that an overseer convicted of cruelty would not find employment; the moral feeling of the country would be a bar to his advancement (p. 1039).

REDRESS.

THE DUKE OF MANCHESTER represents that negro trials resemble courts martial (p. 387).

MR. HINCHCLIFFE considers that a Court of Protection secures redress (p. 20); he admits however that groundless complaints may be visited by summary punishment (p. 247);

justice.

MR. BURGE represents that the law of 1826 (which by the way was disallowed) secured to the slave the advantage of a Grand Jury (p. 970); that it empowered slaves to give evidence; that it re-enacted that sentence of death should not be carried into execution without being communicated to the Governor (p. 971); that the slave has means at all times of applying to the magistrates (p. 986); and that all cases are fairly brought before the court, and every disposition exists to see justice done (p. 989).

DECREASE OF POPULATION.

MR. SHAND admits that the slaves decreased on several sugar estates under his care (p. 231).

SIR MICHAEL CLARE states that the female slaves generally bear children at twelve years of age, that he has seen a child pregnant at ten, that in his judgment the increase of African and Creole is the same (p. 281), that he has observed no difference as to proportion of child-bearing women in the West Indies from other places (p. 282), and that he never heard a suspicion of waste of life (p. 285), that there are few negroes now living who came from Africa, and they are very old (p. 267).

COLONEL MACDONALD, speaking of Honduras, states, that the slave population increases even without a due proportion of sexes (p. 313). It is as well to recall to mind at this place that both sugar and coffee cultivation are prohibited, the use of the whip abolished, and most liberal allowances made to the slave in Honduras.

MR. SHARP represents, at p. 781, that the Africans are to the Creoles as five to three in decrease, and that the reverse proportion holds as to their increase, that in every hundred Africans there are sixty-five males.

MR. BURGE states that the original registration of 1817 was inaccurate (p. 1009), that the African population bears a large proportion to the others (p. 1010).

SIR JOHN KEANE states that there are very few remaining Africans in Jamaica—that there are some estates having five or six hundred negroes, and not a single African among them (p. 166).

EMANCIPATION.

MR. HINCHCLIFFE is of opinion that freedom would be conducive to the owner's interest (p. 332).

MR. BAILLIE states that emancipation would "explode" the cultivation of sugar (p. 68), and that estates are now wholly unprofitable: immediate emancipation would be ruin to the slaves (p. 72).

MR. SHAND represents that even the expectation of freedom hereafter is likely to make the slaves discontented (p. 201).

SIR MICHAEL CLARE affirms that emancipation would lead to indulgence in every vice without restraint (p. 278), yet he illustrates the good effects of even the hope of it at p. 287.

MR. BURGE conceives that emancipation would lead to great carnage (p. 1004), that if it endangered the cultivation of sugar it would be perfect madness (p. 1036).